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A  
COMPENDIOUS DIGEST

OF

The Statute Law.

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1026.  
A

COMPENDIOUS DIGEST  
OF  
**The Statute Law,**

COMPRISING  
THE SUBSTANCE AND EFFECT  
OF ALL  
The Public Acts of Parliament in Force,  
FROM  
MAGNA CHARTA IN THE NINTH YEAR  
OF  
K I N G   H E N R Y   I I I .  
TO THE  
T W E N T Y - S E V E N T H   Y E A R  
OF  
His present Majesty KING GEORGE III.  
inclusive.

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By **T. W. W I L L I A M S,**  
BARRISTER AT LAW.

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L O N D O N :  
PRINTED BY HIS MAJESTY'S LAW PRINTERS,  
FOR G. KEARSLEY, N<sup>o</sup>. 46, FLEET-STREET.  
M.DCC.LXXXVII.

77

COMPREHENSIVE DIGEST

OF

THE STATUTE BOOK

CONTAINING

THE STATUTES

IN FORCE



IN FOLIO

PRINTED BY

JOHN JOHNSON

STATIONER AND PRINTER

IN THE STRAND

## PREFATORY ADDRESS.

**T**HE legislative powers in every state, extensive in its dominions, or influenced by commercial connections, have found it necessary to establish various laws, for the preservation of order in the state, and for the protection and encouragement of trade; but it is a peculiar advantage adherent to this country, that the laws relative to the rights, liberties, property, or commerce of the subjects, do not owe their creation, or continuance, to despotic power: the wisdom of our ancestors has established every precaution, that can possibly tend to prevent the errors and perplexities, which might originate from too precipitate a determination, on the propriety of forming new laws, abrogating old ones, or innovating such as have been deemed salutary; for no act can pass into a law, or be amended, suspended, dispensed with, or repealed, until it hath been maturely considered, and received the concurrent assent of the three great legislative bodies, the King, Lords, and Commons.

BUT, from the imperceptible operation of time upon men and manners, various alterations must arise, and the wholesome regulations of our forefathers, become obsolete, and apparently absurd, in many instances.

THE present state of our statute law, exemplifies the truth of this position, and marks the progressive refinement and variation of succeeding ages, in



respect to matters of legislation, in the most forcible manner; for it requires more than ordinary discrimination, to judge with precision, on the force and existence of a multiplicity of acts, the subject matter whereof relates either to legal titles now neglected, or extinct, or to provisions, which must stand virtually, though not expressly repealed, from the numerous regulations which have been subsequently made, either by re-enacting the old acts, or incorporating the clauses thereof, in acts of a more modern period, without noticing the laws, existing with similar effect, on the same subject.

To extricate this extensive code of positive laws from its present crude and indigested state, and to facilitate the attainment of a general knowledge of the public acts of parliament now in force, is the intention of the following work. And as no man, let his rank, employment, or situation in life, be ever so elevated, consequential, or insignificant, can assert that he is in no degree affected by the directions or restrictions of the legislature, or alledge in extenuation of any non-observance, or infringement of the law, an ignorance of the act against which he has offended, it materially concerns him, to acquire that knowledge which will preserve, and protect him from the many difficulties to which he is exposed, and may inadvertently be involved in, from his deficiency in point of legal knowledge.

THE mode which the Editor has observed in digesting the purport of the statutes, is that of alphabetical order, whereby the whole law, on any specific subject, is placed in one collective view. But as some heads  
include



include a variety of acts upon different subjects, it has been deemed expedient, in several instances, to form the general title, into proper sub-divisions—the laws affecting the metropolis, and the duties of excise and stamps, are examples of this mode of illustration.

FROM the system observed in the execution of the principal work, an Index may to some persons appear unnecessary; but as several acts which are abridged under one title, may have allusion, or bear reference to a subject foreign to that under elucidation, the Editor has subjoined a very accurate and compleat repertory to the whole, so that if a particular act cannot be found in the body of the work, under the title in which it is sought for, the reader may, by recurring to the Index, be immediately satisfied in what part of the work, and under what title, it is abridged.

EVERY public act of parliament is noticed under the proper head, and the substance and effect of every material clause carefully collected and preserved: but when the Editor mentions that he has attended to every PUBLIC ACT, he desires it to be understood, that he confines himself to such acts only, as are of actual importance and concern, and does not include those, which, from their local or personal application, must be private, though marked with publicity by the authoritative fiat of the legislature.

THE Editor having now explained the nature of the work, it remains with the public to determine, whether his efforts, in the execution of so arduous a design, have been successful or not, for he himself will neither amplify the excellence and utility of the work, nor

detract from the merit of his labours; by indulging too much diffidence as to his accuracy. But if any errors, which he has studiously endeavoured to avoid, should have intruded themselves into the present edition, he relies upon the candour of an impartial public, to make all due allowances in respect thereof: and when it comes to be considered, that the Statutes at large are not comprized in less than thirty-five octavo volumes, he trusts, that the reducing the substance and effect of all those volumes into one, will operate strongly in his favour, and afford an excuse for any involuntary defect.

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A

COMPENDIOUS DIGEST

OF

The Statute Law.

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Account.

**B**Y 52 *Hen. 3. c. 23.* bailiffs of lords, withdrawing themselves from accounting, are liable to attachment by the sheriff.

By 13 *Ed. 1. Stat. 1. c. 11.* accountants, servants, bailiffs, and the like, found in arrear by auditors assigned by their masters, are to be committed to gaol till satisfaction shall be made; but they may appeal to the barons of the exchequer.

Executors shall have a writ of account, and like action and process in the same, as the testator should have. *Ibid. c. 23.*

By 6 *Hen. 4. c. 3.* commissioners are to enquire of the accounts of sheriffs, customs, and other the king's officers in the country, after passed in the exchequer, and if they are detected in any fraud, they are to incur treble damages.

By 4 *Ann. c. 16.* action of account is given against executors of guardians, bailiffs, and receivers, and to joint-tenants and tenants in common against each other.

Accounts public.

By 25 *Geo. 3. c. 52.* the patents granted to the auditors of the imprest were vacated; but this is not to affect other officers of the exchequer.

His majesty may appoint five commissioners for auditing the public accounts, who are to be sworn, and the treasury are to appoint officers for preparing public accounts, and shall allow them salaries not exceeding 6000*l. per ann.* in the whole. *Ibid.*

Commissioners shall be vested with all the powers of the auditors; and shall administer oaths to their officers; and may call before them all persons who have received money by way of imprest; and are to examine accounts as soon as possible. *Ibid.*

Com-

## Actions popular.

Commissioners may examine accountants on oath, and persons giving false evidence before them incur the pains and penalties of perjury. *Ibid.*

Commissioners shall make up a state of accounts and lay them before the treasury, and accounts of the expenditure of public money shall be delivered to them; and the auditor of the exchequer shall transmit them a certificate of monies issued upon account. *Ibid.*

Pay-masters shall transmit to the commissioners an account of all monies issued by them by way of imprest; and accountants shall not be allowed any sum they shall neglect to transmit an account of as abovementioned. *Ibid.*

Commissioners may compel accountants to bring forward their accounts; and sub-accountants shall deliver to them vouchers for expenditure of money issued to them, within three months after the expiration of the year, if for services in *Great Britain*; within four months, if elsewhere in *Europe*; within six months; if in the *West Indies, America or Africa*; and within twelve months if in the *East Indies*. *Ibid.*

Process shall not be issued against such sub-accountants who are to account to the ordnance, navy, victualling, or sick and hurt offices, without directions from the treasury. *Ibid.*

When sub-accountants transmit a discharge from such offices, their names shall be struck out of the imprest roll, and no article shall be allowed in accounts of expenditure of public money, without a written voucher. *Ibid.*

Books in the auditors offices shall be delivered to the commissioners. *Ibid.*

By 27 *Geo. 3. c. 13.* quarterly accounts shall be kept by the different boards of the several branches of the public revenue, and the treasury shall lay before parliament annually an account of the total produce of the respective branches.

## Actions popular.

By 4 *Hen. 7. c. 20.* the plaintiff may by replication aver collusion in recovery, or bar in a former action pleaded, unless the same has been tried; and a release of a stranger pending the suit, shall not be available.

By 18 *Eliz. c. 5.* a note shall be made of the day of exhibiting an information; and on the process shall be indorsed the party's name that sueth.

No jury shall be compelled to appear at such trial at *Westminster*, where the offence was committed above thirty miles from thence, unless where the attorney general, for cause shewn, shall require. *Ibid.*

The informer shall not compound without the consent of the court; and in case he is guilty of delay, discontinues, or becomes nonsuit, he must pay costs. *Ibid.*



An informer misbehaving in making composition, shall stand in the pillory, be disabled to sue in future, and likewise forfeit 10*l.* half to the crown, and half to the party grieved. *Ibid.*

By 31 *Eliz. c. 5.* persons restrained by order of court, shall not pursue a popular action.

Actions on penal statutes shall be laid in the proper county, offences against the statutes of usury, maintenance, the customs and revenue excepted. *Ibid.*

Common informers shall bring their action within one year, and the crown within two years, after the offence committed. *Ibid.*

Suits upon statutes for using any illegal game, or for not using of any lawful game, or for using any trade not being brought up in the same, shall be at the quarter-sessions, or assizes, or leet. *Ibid.*

By 21 *Jac. 1. c. 4.* all informations on penal statutes shall be prosecuted in the county, where the offence was committed, and the like process shall be awarded, as in action of trespass *vi et armis* at common law.

Upon default of proving that the offence was committed in the same county, the defendant shall be found not guilty. *Ibid.*

No officer shall file any information, until the informer has made oath, that the offence was committed in the same county. *Ibid.*

The defendant, on the general issue, may give any special matter in evidence to discharge the information. *Ibid.*

Not to extend to informations for defrauding the king of customs, not frequenting of church, maintenance, or for transporting of gold, silver, ordnance, powder, shot, munition, wool, wool fells, or leather. *Ibid.*

## Addition.

By 1 *Hen. 5. c. 5.* all writs and the like, where process of outlawry lies, shall be void for want of the addition of the defendant's degree, and place of residence. Not to extend to surplusage.

## Admeasurement of Dower and Pasture.

By 13 *Ed. 1. c. 7.* a writ of admeasurement of dower shall be given to the guardian, and to the heir, and more speedy process shall be awarded.

The writ of *secunda superoneratione* and damages therein are given. *Ibid. c. 8.*

Administrators.



## Administrators.

By 31 *Ed. 3. stat. 1. c. 11.* the ordinary shall commit administration to the next and most lawful friends; who shall sue, answer, and account, as executors.

By 21 *Hen. 8. c. 5.* he shall grant administration to the widow of the intestate, or to the next of kin, or to both at his disposal; and where divers in equal degree request it, he may elect to which.

No fee is to be given for letters of administration where the goods are under the value of 5*l.* and if above, and not exceeding 40*l.* the officer's fee is only two shillings and six-pence. *Ibid.*

By 22 & 23 *Car. 2. c. 10.* ordinaries upon their granting administration are to take bonds with sureties for the faithful discharge of the trust, rendering accounts, and the like, and the ordinaries may call administrators to account, and order distribution.

After the debts, funeral, and other just expences are allowed, the surplus is to go, one third to the wife of the intestate, and the residue is to be divided amongst his children and their legal representatives. Children advanced in the intestate's life-time to a full share, excepted, but the heir at law, though advanced, is to have an equal share. *Ibid.*

If there be no children nor representatives, one moiety shall be allotted the wife, and the residue equally to the next of kin; and if there be no wife, but children, it shall be distributed amongst the children; and if no children nor wife, amongst the next of kin in equal degree. No representatives to be admitted after brothers and sisters children, and no distribution shall be made till one year after the intestate's death.

By 29 *Car. 2. c. 3.* the husbands of feme coverts, that die intestate, may have administration, and are not to be compelled to distribute their wives estates.

By 1 *Jac. 2. c. 17.* administrators shall not be cited to account other than by inventory, but at the instance of a minor, or creditor or next of kin.

If children die, after the death of the father, without wife or child, the mother and every brother and sister, and their representatives shall have equal shares. *Ibid.*

The customs of the city of *London*, and province of *York* are saved. *Ibid.*

By 14 *Geo. 2. c. 20.* distribution shall be made of estates *pur autre vie*, whereof there is no special occupant, and which are undevise.

## Admiralty.

By 13 *Ric. 2. stat. 1. c. 5.* the admiral shall not hold plea of things done on land, but only of things done on the sea.

By

By 15 *Ric. 2. c. 3.* he shall not hold plea of matters arising in the body of the county, or of wreck; but of death, and maihem done in ships under the bridges of great rivers, or to arrest ships there, he shall have cognizance.

By 2 *Hen. 4. c. 11.* the party wrongfully sued there shall recover double damages, and penalty of 10*l.* to the crown.

By 8 *Ediz. c. 5.* sentences definitive of the delegates upon appeal in marine causes shall be final.

By 2 *Will. & Mar. stat. 2. c. 2.* the office of lord high admiral may be executed by commissioners.

By 22 *Geo. 2. c. 33.* the admiralty may grant commissions for holding courts martial to the commander in chief of any squadron; and in case he dies, the next in command may hold courts martial: but the officer next in command where there are five ships, is to preside at courts martial in foreign parts.

Commanders in chief shall empower the commanders of a squadron on a separate service to hold courts martial; but if five or more ships meet in foreign parts the senior officer is to hold the same. *Ibid.*

If any thing should occur, which may render it improper for the second officer in command to preside, the third may hold the court martial. *Ibid.*

The admiralty is likewise empowered to appoint officers in the ports of *Great Britain* to hold courts martial. *Ibid.*

The court martial shall not consist of more than thirteen nor less than five officers; and the officer shall not direct the particular number. *Ibid.*

Where there are only three post captains, the president may call in commanders under that rank. *Ibid.*

No member of the court shall go on shore, after the trial is begun, upon pain of being cashiered, nor shall the proceedings be delayed. *Ibid.*

The officers composing a court martial, are to be sworn to administer justice, according to the articles established by this act, and not to discover the vote or opinion of any member, unless thereunto required by act of parliament. The judge advocate is likewise to take this latter part of the oath: and he is to administer an oath to the witnesses. *Ibid.*

Persons refusing to give evidence, prevaricating or being guilty of contempt to the court, may be imprisoned for the two first offences for three months or less at the discretion of the court; and for the last for one month, or less in like manner. *Ibid.*

Perjury, and subornation thereof, shall be punished according to the several acts in force, relative to those crimes. *Ibid.*

Report is to be made to the admiralty, or commander in chief, before sentence of death, except in cases of mutiny. *Ibid.*

By 19 *Geo. 3. c. 17.* proceedings of courts martial shall not be delayed by the absence of any members, if enough remain to make a court; but no member shall be absent, except on some extraordinary occasion,

The 12 & 13 articles in 22 Geo. 2. are altered, and the court may inflict death, or such other punishment, as the offender may deserve. *Ibid.*

## Advertisement.

By 25 Geo. 2. c. 36. and 28 Geo. 2. c. 19. a penalty of 50*l.* is inflicted on persons advertising a reward with no questions asked, for the return of things stolen or lost; and the printer forfeits the like sum.

## Advowson.

By 13 Ed. 1. stat. 1. c. 5. a reversioner shall not be put out of possession, by presentation during the particular estate, nor an heir within age, nor an ecclesiastical person during vacation.

The same form of pleading shall be used in *darrein presentment* and *quare impedit*: and plenarty of the defendant's own presentation, shall be no plea to a writ brought within six months. *Ibid.*

If six months pass pending a *quare impedit*, and the bishop presents by lapse, the patron shall recover damages to two years value of the church, against the disturber. And when any parson is disturbed to demand tithes in the next parish by writ of *inducavit*, the patron shall have a writ to demand the advowson of those tythes. *Ibid.*

Usurpation by one co-parcener upon another, shall not bar the turn to present. *Ibid.*

By 17 Ed. 2. c. 8. lapse of six months shall not prejudice the king's presentation.

By 25 Ed. 3. stat. 3. c. 3. when the king collates to a church in another's right, his title is to be well examined, and if found untrue, before judgment, the presentment shall be repealed, and the rightful patron shall have the necessary writs.

By 25 Ed. 3. stat. 3. c. 7. the ordinary, or the possessor, may be received to counterplead the king's title for a benefice fallen to him by lapse, though he claim nothing in the patronage.

By 13 Ric. 2. stat. 1. c. 1. if the king present to any benefice, full of an incumbent, the presentee shall not be received until he has recovered by law; and if such presentee be otherwise received, the incumbent so put out shall sue within a year.

By 4 Hen. 4. c. 22. an incumbent put out without process, by the king's presentee, may begin his suit any time, as well after the year as within.

By 7 Ann. c. 18. no usurpation upon any avoidance shall displace the estate of the patron, and turn it to a right, but he may present upon the next avoidance.

Where coparceners, jointenants, or the like, are seised of an advowson, and a partition is made to present by turns, each of them shall be seized of his separate estate. *Ibid.*



## Affidavits.

By 16 & 17 *Car. 2. c. 9.* and 4. *Geo. 3. c. 21.* the chancellors of the dutchy of *Lancaster*, and of the county palatine of *Durham*, may grant commissions to take affidavits there : and the person receiving such affidavit shall take but one shilling for so doing.

By 29 *Car. 2. c. 5.* affidavits in the courts at *Westminster*, may be taken before commissioners appointed by the Lord Chief Justice, or other judges ; or during the circuit before a judge of assize : and the fee is one shilling.

## Aid of the King.

By 4 *Ed. 1. c. 1. 2.* where a charter or feoffment, made by the king, binds others to warranty, the heirs shall have aid ; but where the king only confirms another man's act, or no clause of warranty is in the charter, the tenant shall not have aid.

By 1 *Hen. 4. c. 8.* where the king grants lands without title found, the disseisee shall have a special assize ; and if the grantee pray in aid of the king, the chancellor shall issue a *procedendo*.

## Ale-houses.

By 5 *Ed. 6. c. 25.* no person shall keep an alehouse without being licensed in sessions ; or by two justices (one to be of the *quorum*) on pain of three days imprisonment, and a fine to be imposed by the quarter sessions. The justices have power to put down alehouses, and to take recognizances for keeping good orders ; but this act shall not restrain the selling of malt liquors in fairs.

By 1 *Jac. 1. c. 9.* alehouse-keepers permitting townsmen to sit tippling, are liable to the penalty of ten shillings, and in default of payment to be imprisoned till it is satisfied : and persons tippling in alehouses, are to forfeit three shillings and fourpence, or sit in the stocks four hours.

By 4 *Jac. 1. c. 4.* selling ale to an unlicensed alehouse-keeper, except for his own private use, incurs a penalty of six shillings and eight-pence for every barrel, to be recovered at the quarter sessions.

Persons convicted of drunkenness are to forfeit five shillings, or be put in the stocks six hours. *Ibid. c. 5.*

If convicted a second time, to be bound over to their good behaviour ; but the prosecution must be within six months. *Ibid.*

By 7 *Jac. 1. c. 10.* an alehouse-keeper, convicted under either of the two last acts, is disabled to keep an alehouse for three years.

By 21 *Jac. 1. c. 7.* one witness, or the party's own confession, shall be sufficient ; and the oath of the party confessing shall convict others.

By 1 *Car.* 1. c. 14. alehouse-keepers permitting any person whatsoever to sit tippling, shall incur the penalty of 1 *Jac.* 1. c. 9. Vintners, keeping inns or victualling houses, are also declared to be within the act.

By 3 *Car.* 1. c. 4. persons keeping alehouses without licence are to forfeit twenty shillings to the poor, or be whipped; and for the second offence are to be committed to the house of correction for a month; but any person may, during a fair, sell malt liquors in booths.

By 7 & 8 *Will.* 3. c. 19. alehouse-keepers were restrained from using plate; but by 9 *Geo.* 3. c. 11. that restriction was taken off, by that part of the act being repealed.

By 2 *Geo.* 2. c. 28. and 26 *Geo.* 2. c. 31. no licence shall be granted to keep an alehouse, but at a general meeting of justices, on September the first, or within twenty days after, and the same shall be made but for one year; notice is likewise to be given of the time and place for granting them; and persons selling brandy are to be licensed, and subject to the same rules as common alehousekeepers.

By 17 *Geo.* 2. c. 17. victuallers having a licence to retail spirits shall not, during the time of that licence, exercise the trade of a distiller, grocer, or chandler, or keep a brandy shop for sale of any spirits, upon pain of forfeiting the licence, and also 10*l.* for every offence. Persons selling a less quantity than two gallons shall be deemed retailers. And the licence shall not extend to any other than the house mentioned in it.

By 26 *Geo.* 2. c. 13. justices being brewers, inn-keepers, distillers, victuallers, or maltsters are prohibited from granting of licences for selling of ale, beer, or spirits.

Justices licensing ale-houses, are to take a recognizance in the sum of 10*l.* for the maintenance of good order; which recognizance must be sent to the clerk of the peace, on penalty of 3*l.* 6*s.* 8*d.* *Ibid.* c. 31.

Licences are to be granted to none unless they were licensed the year preceding, or can produce certificates of their good fame. *Ibid.*

If the licensed person dies or removes, the successor, upon obtaining a certificate thereof, signed by a neighbouring justice within thirty days after such death or removal, may keep on the house for the residue of the term of the licence. *Ibid.*

Where a justice shall adjudge the recognizance to be forfeited, he is to summon the party to the quarter sessions, and the jury finding him guilty, the recognizance is to be estreated, and he is to be disabled from selling of beer or spirits for three years. *Ibid.*

Where a justice shall suspect, that any victualler sells ale or the like, without a licence, he may summon him and the officer who surveys him, and examine such officer upon oath. *Ibid.*

A justice, upon information that any person is reasonably suspected of selling ale, without a licence, is to summon the party and evidence before him; and persons summoned not appearing are to forfeit 10*l.* *Ibid.*



The rights of the universities to grant licences are reserved. The times of granting licences for common inns and alehouses in any city or town corporate are not altered. Parishioners are likewise declared to be competent witnesses. *Ibid.*

Instead of the pecuniary, and corporal punishments, inflicted by former acts, on retailers of beer not being duly licensed, they are to forfeit for the first offence 40*s.* and costs of conviction; and, on non-payment, are to be committed for one month; for the second offence 4*l.* and costs; and on non-payment to be committed for two months; for the third offence 6*l.* and costs, and on non-payment, to be committed for three months; and the like penalty and punishment as the third, for every subsequent offence, the costs are to be settled by the justices; and the penalties to be applied, one moiety to the crown, and the other moiety with costs to the prosecutor. *Ibid.* and 5 *Geo.* 3. c. 46.

The justices may determine the offences in a summary way, and summon witnesses who are to forfeit 40*s.* if they do not attend; but the party aggrieved may appeal to the quarter sessions, where he must pay costs, not exceeding 5*l.* if the appeal is adjudged to be frivolous. 5 *Geo.* 3. c. 46.

By 30 *Geo.* 2. c. 24. publicans permitting journeymen, servants or apprentices to 'game in their houses, are to forfeit 40*s.* and for the second and every subsequent offence 10*l.* which penalties are to be levied by distress and sale.

By 9 *Geo.* 3. c. 6. the powers, directions, and penalties, provided and established by any act made since 8 *Geo.* 2. as to selling *spirituous liquors*, without licence, may be exercised, notwithstanding 5 *Geo.* 3. c. 46. but transporting and whipping is to cease.

## Aliens.

By 1 *Ric.* 3. c. 9. an alien artificer shall not exercise any handicraft trade in *England*, unless as servant to a subject; nor shall such alien make any cloth, or sell wares by retail, on pain of forfeiting his goods, nor take any apprentice but a subject born, under the penalty of 20*l.*

By 14 *Hen.* 8. c. 2. no stranger artificer shall take any apprentice, but such as is born under the king's obedience, on pain of 10*l.* nor shall they keep above two journeymen, except they be such persons. Wardens of handicrafts in *London* are to assign proper marks for strangers wares. Selling wares without such mark to forfeit double the value. But this act extends only to joiners, coopers, and blacksmiths.

By 21 *Hen.* 8. c. 16. a stranger artificer shall not keep in his house at one time above two strangers, servants, but as many *Englishmen*, servants and apprentices as he can get. No strangers but denizens, shall keep house or shop under the penalties above, neither shall they assemble but in the common halls of their mysteries.

## Amerciaments:

But by 22 *Hen. 8. c. 13.* no alien being a common baker, brewer, surgeon, or scrivener, shall be deemed a handicraftsman under the above acts.

By 32 *Hen. 8. c. 16.* all strangers made denizens, are to be obedient to the statutes; and every alien shall observe the laws of the kingdom: neither strangers nor subjects shall keep above four servants strangers, on pain of 10*l.* And no stranger (except denizens) shall take a lease of any house or shop, under the penalty of 5*l.*

## Ambassadors.

By 7 *Ann. c. 12.* all process for the arresting of any ambassador or his domestic servants, or for the distraining of his goods shall be void, and the persons suing out such process are to be punished at the discretion of the lord chancellor, and chief justices, or any two of them.

No merchant, or trader within the statutes of bankrupt shall be protected by ambassadors: and no person shall be sued for arresting the servant of an ambassador, unless the name of such servant is registered in the secretaries office, and hung up in the office of the sheriffs of *London and Middlesex.*

## Amendments.

By 14 *Ed. 3. stat. 1. c. 6.* errors in record, owing to the misprision of clerks, of a letter, or syllable, may be amended, as well after judgment given, as before. Also 9 *Hen. 5. c. 4.*

But by 4 *Hen. 6. c. 3.* such acts are not to extend to *Wales*, or outlawries.

By 8 *Hen. 6. c. 12.* no record shall be reversed for error assigned by reason of raising, interlineation, addition, or diminution.

The judges may reform all defects in any record, process, writ, or return, (appeals, indictments of treason, or felony, and outlawries thereupon excepted) and variance between a record and the certificate, shall be amended by the judges. *Ibid.* and 8 *Hen. 6. c. 15.*

No judgment shall be reversed, for a variation from the exemplification, where the record is exemplified or inrolled. *Ibid.*

By 5 *Geo. 1. c. 13.* writs of error varying from the record may be amended: except in criminal matters.

## Amerciaments.

By *Mag. Chart.* 9 *Hen. 3. c. 14.* a freeman shall not be amerced for a small fault; and in all cases proportionable to the offence. Peers to be amerced by peers.

By 52 *Hen. 3. c. 18.* chief justices or justices in eyre, are to amerce for default of summons.

By

## Annuittes public.

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By 3 *Ed. 1. c. 6.* no place or person shall be amerced without cause, and then according to the default, saving the freehold of the freeman, the merchandise of the merchant, and that by his or their peers.

By 5 & 6 *Will. & Mar. c. 12.* No *capias pro fine* in trespass, ejectment, assault and false imprisonment, shall be sued out against the defendant, but the plaintiff shall upon signing judgment, pay to the officer, 6 s. and 8 d. for the same, which sum he shall be allowed in costs.

## American Trade.

The 27 *Geo. 3. c. 7.* continues 23 *Geo. 3. c. 39.* and 24 *Geo. 3. c. 45.* until April 5. 1788.

No manifest shall be required from any American vessel on coming into, or clearing out of any *British* port, except exportation bonds. But for discharging bonds given for landing goods in *America*, a certificate must be produced from a proper officer there, certifying that the goods were duly landed; and his majesty may make regulations for carrying on trade with *America.* 23 *Geo. 3. c. 39.*

His majesty may in council make regulations for carrying on trade with *British America* relative to iron, hemp, sail-cloth and *Baltic* goods. 24 *Geo. 3. c. 45.*

No flour, bread, rice, wheat, grain, staves, heading, shingles, or lumber, shall be imported from any foreign *West India* island into any *British* one. 27 *Geo. 3. c. 7.*—In force till April 1788.

But in cases of emergency his majesty's governors or commanders in chief of the *West India* islands, with their councils, may authorize the importation of such articles from other islands. *Ibid.*

If goods the growth of the United States of *America*, be imported into the *West India* islands contrary to law, they are forfeited, with the vessels, and carriages. *Ibid.*

## Annuittes public.

By 4 *Will. & Mar. c. 3.* the sum of ten hundred thousand pounds was directed to be raised, and natives or foreigners were permitted to contribute towards the advancing of such sum, by paying into the exchequer, such sums as were therein after directed.

The sum of 100,000 l. which was to be raised by certain taxes therein before mentioned, was to be yearly distributed till the year 1700 amongst the contributors, and afterwards the sum of 70,000 l. *Ibid.*

Each contributor of 100 l. was to receive a share during the life which he named, and he was at liberty to contribute as many hundreds as he pleased. Books were to be kept of the names of contributors, and nominees, and the sums contributed. *Ibid.*



The contributor upon payment of his money was to have a tally and order for payment of his share. The whole yearly funds were to be proportionably paid to the contributors, if the whole sum was advanced, by half-yearly payments, payable at *Christmas* and *Midsummer*. *Ibid.*

Survivors were to have advantage of the death of the nominees, till only seven were left, and then the king was to have the dead man's share. *Ibid.*

The contributors might assign or devise their interest; and in case no assignment or will was made, the interest was to go to the administrator for the life of the nominee. *Ibid.*

If a contributor neglected to receive his half-yearly payment it was to go to the rest, and if he received his share after the death of the nominee, he was either to repay the same, or forfeit treble the sum received. *Ibid.*

An account was to be made within 20 days of every payment, of the deaths of nominees. *Ibid.*

No fees were to be taken by any officer in the exchequer, for any thing done under this act, upon pain of incapacitation, and treble damages, to which punishment he was likewise liable in case of misbehaviour, but no officer was punishable for paying money upon a forged certificate, unless privy to it. *Ibid.*

Contributors were to certify the deaths of their nominees, and return their tallies, upon pain of 10*l.* *Ibid.*

If the whole sum was not advanced before *May*, persons contributing were to have the advantage of 14*l. per cent.* for the life of the nominee; and no monies lent, or payable under this act, were to be taxed. *Ibid.*

By 5 *Will. & Mar. c. 5.* to supply the deficiency of the last act, any persons might contribute the sum of 118,506*l. 5*s.* 10*d.** to make up the million thereby intended to be raised, and they were to be allowed 14*l. per cent.* for life, for every 100*l.* advanced.

By 5 & 6 *Will. & Mar. c. 20.* any persons might contribute towards the raising 100,000*l.* and receive for every 100*l.* advanced, if upon one life 14*l. per cent. per ann.* two lives 12*l.* and if upon three lives 10*l.*

By 6 & 7 *Will. 3. c. 5.* any person having 14*l. per cent.* for life upon the above acts, may turn it into an estate for ninety-six years, from the 25th *Jan.* 1695, upon paying sixty-three pounds more before *June* 1696. The contributors to have tallies and orders, according to the course of the exchequer, and the duties given in the former acts, were appropriated to the payment of this new advance.

By 9 & 10 *Will. 3. c. 5. & c. 24.* for discharging the arrears of the above annuities, persons intitled to annuities for life at 14*l. per cent. per ann.* may before *Dec.* 1698. for every 100*l.* paid for a single life, advance 56*l.* more for converting the same into a term certain, for the residue of 96 years, from 25th *Jan.* 1695.

No annuities payable out of the excise, shall be paid off, until the precedent quarter be first discharged, whereof public notice is to be given. The officer offending herein is to forfeit his office, and likewise 50*l.* *Ibid.*

By

By 11 & 12 Will. 3. c. 3. persons having, or not having estates for life, in annuities of 14 *l. per cent. per ann.* may before November 1700, for 70 *l.* change the same into a term certain, for the residue of 96 years, from 25 Jan. 1695.

By 1 Ann. Stat. 2. c. 5. any persons before March 1702. may pay 79,155 *l.* into the exchequer for purchasing annuities, out of the excise, granted by 4 Will. & Mar. c. 3. and 8,475 *l.* for purchasing annuities out of the two seventh parts of excise, granted by 5 Will. & Mar. c. 5. and they shall have a yearly rent of 14 *l.* for every 210 *l.* so paid, for eighty-nine years from the 25th Jan. 1702. payable quarterly, without any deduction for taxes.

By 2 Ann. c. 3. the weekly sum of 3,700 *l.* arising from the hereditary excise payable in the exchequer by 12 Will. 3. c. 12. and by 1 Ann. c. 7. shall be paid into the exchequer separately weekly, by the commissioners of the excise, upon pain of forfeiting their places, being incapacitated, and likewise paying double the money misapplied, to such as will sue.

The comptroller of the excise, is to keep a distinct account of the monies arising by the above branches of excise, which may be inspected without fee; his misbehaving herein subjects him to the loss of office, incapacity, and the forfeiture of 200 *l.* *Ibid.*

The auditor of the exchequer shall enter the said weekly payments, apart from all other, and thereout, the annuities to be purchased by this act shall be paid; if any residue after payment, the same is to be applied to the the publick service. *Ibid.*

Any persons may, before the 29th September 1704, advance 1,018,867 *l.* 18 *s.* 6 *d.* for purchasing annuities, for 99 years, from 25th March 1704, at the rate of 150 *l.* for 10 *l. per ann.* and so in proportion. Such annuities to be paid at the usual feasts, free from taxes. *Ibid.*

For raising a further sum of 300,000 *l.* persons may purchase annuities for one life at nine years purchase; for two lives at eleven; three lives at twelve; or for ninety-nine years certain, at fifteen years purchase. *Ibid.*

When the contributions shall amount to 1,200,000 *l.* no more shall be received at the exchequer. *Ibid.*

The contributors shall name to the auditor of the receipts, the lives during which they shall be intitled to such annuity before 1st May 1704, which names shall be entered in the offices of the clerk of the pells, and auditor, in books to be inspected without fee. *Ibid.*

The annuities to be transferrable, and pass as personal estates. *Ibid.*

By 3 Ann. c. 2. Any persons may, before 29th December 1705, pay into the exchequer, 877,301 *l.* 19 *s.* 3½ *d.* viz. 690,000 *l.* part thereof for purchasing annuities for ninety-nine years, from 25th December 1705, at the rate of 150 *l.* for 10 *l. per ann.* The annuities not to exceed 46,000 *l. per ann.* and to be paid quarterly, free from taxes.



For raising a further sum, not above 187,930*l.* 19*s.* 3½*d.* residue of the said 877,930*l.* 19*s.* 3½*d.* any persons, entitled to one life in being, on the act of 2 *Ann. c. 3.* may before 29th *September* 1705, pay into the exchequer, six years purchase for converting their life estate, into a term for ninety-nine years certain; four years for the changing of an estate for two lives, into such a term; and three years for changing an estate for three lives.

By 4 *Ann. c. 6.* for payment of the annuities purchased under this act, the monies thereby arising, and also all the monies arising by 5 & 6 *Will. and Mar. c. 7.* shall be paid into the exchequer weekly.

For raising the sum of 2,855,761*l.* 16*s.* 2*d.* any persons may, before 1st *Nov.* 1706, pay that sum into the exchequer for purchasing annuities for ninety-nine years, at the rate of 155*l.* for 10*l.* *per annum.* Such annuities to be paid quarterly, free from taxes, and not to exceed 184,242*l.* 14*s.* *per annum.*

By 5 *Ann. c. 19.* certain duties therein mentioned are appropriated to the purpose of paying the annuities to be purchased under this act.

For raising 1,155,000*l.* any persons may, before the 10th of *November* 1707, pay into the exchequer that sum, for purchasing of annuities for ninety-nine years, from the 25th of *March* 1707, at the rate of 160*l.* for every annuity of 10*l.* *per annum.* Such annuities not to exceed 72,187*l.* 10*s.* and to be paid quarterly.

By 6 *Ann. c. 5.* any persons may pay into the exchequer 640,000*l.* before 25th *September* 1708, for purchasing annuities for ninety-nine years, from the 25th *March* 1708, at 160*l.* for every annuity of 10*l.*

All the annuities not to exceed 40,000*l.* *per annum* payable quarterly, and charged upon the overplus monies of the duties, settled to pay the annuities of 4 *Ann. c. 6.* 5 *Ann. c. 19.* and the overplus of the excise act 4 & 5 *W. and M. c. 3.*

By 6 *Ann. c. 11.* any persons may, before 20th *October* 1708, pay into the exchequer, 1,280,000*l.* for purchasing annuities for ninety-nine years, from *June* the 24th, 1708, at 160*l.* for every annuity of 10*l.* All the annuities not to exceed 80,000*l.* *per annum*, to be paid quarterly, and charged on the half subsidy by this act granted.

By 6 *Geo. 1. c. 11.* the sum of 13,000*l.* was charged on the duties upon plate, in order to pay the interest of 312,000*l.* raised by this act, for the granting of annuities at 4 *per cent.* redeemable by parliament on notice in the gazette.

By 8 *Geo. 1. c. 20.* annuities of 3 *per cent.* were granted to the sufferers by a *French* invasion in the islands of *St. Nevis* and *St. Christophers*, in like manner redeemable.

By 9 *Geo. 1. c. 12.* proprietors of the orders made forth in pursuance of the two last acts, may assign the same by indorsement; and orders for small sums may be turned into orders for greater. New orders may be made out in lieu of such as are defaced, and forging or counterfeiting any such orders, is made felony without benefit of clergy.

By

By 12 Geo. 1. c. 2. the deduction of sixpence in the pound was continued on all annuities and pensions, for the purpose of paying the annual sum of 30,000*l.* amongst the contributors to a lottery, who were to have annuities granted to them after the rate of 3 per cent. per ann. from June 1726, until redeemed by parliament.

By 13 Geo. 1. c. 3. lottery tickets under the last act returned in the exchequer, shall be applied for discharging standing orders for the sufferers at *Newis* and *St. Christophers*, which said tickets may be exchanged for shares, in the last 3 per cent. annuities.

By 4 Geo. 2. c. 9. the stamp duties are charged with the payment of annuities after the rate of 3*l.* 10*s.* per cent. per ann. from 1732, until redeemed by parliament; the principal sum advanced by the contributors was 800,000*l.*

By 9 Geo. 2. c. 34. for 600,000*l.* contributed; annuities after the rate of 3 per cent. per ann. were granted from 1736, until redeemed by parliament, which annuities are charged on the sinking fund.

By 11 Geo. 2. c. 27. the sinking fund was charged with the payment of annuities after the rate of 3 per cent. on the principal sum of 500,000*l.*

By 17 Geo. 2. c. 33. where an annuitant for life, under 2 Ann. c. 3. and 3 Ann. c. 2. does not claim for two years, the reversioner may receive the annuity.

By 23 Geo. 2. c. 1. and c. 22. the annuities which then bore an interest of 4 per cent. per ann. were reduced to an interest of 3 per cent. per ann. from December 1757.

By 24 Geo. 3. c. 39. all persons interested in any navy or victualing bills, or ordnance debentures, made out or dated on or before June 30, 1782, were at liberty before October 10, 1784, to carry the same to the respective treasurers, and to have the interest computed thereon.

Such treasurers were to receive all such bills until October 10, 1784, which bills were to be cancelled, and certificates made out in lieu thereof, to the bank, upon which the proprietor for every 100*l.* was to be intitled to 107*l.* 10*s.* 6*d.* stock at 5 per cent. *Ibid.*

The annuities of 5 per cent. by this act established, are payable at the bank half yearly, are tax free, and may be devised. *Ibid.*

The bank shall continue a corporation until the redemption of the fund. *Ibid.*

By 25 Geo. 3. c. 32. persons possessed of ordnance debentures, or navy or victualing bills, dated on or before June 30, 1783, may carry them to the treasurer of the navy's office, and exchange them for certificates; on delivery whereof at the bank, they shall be intitled to 111*l.* 8*s.* stock for 100*l.*

Persons possessed of any such bills or debentures, may deliver them to the respective treasurers to have them marked, before June 7, 1785. *Ibid.*

The treasurers of the navy and ordnance may receive and cancel such bills, and deliver certificates in lieu thereof: and persons pro-

ducing their certificates at the bank, shall be intitled to 5 *per cent.* annuities for the same, which annuities shall be deemed personal estate, and be tax free. *Ibid.*

Annuities shall be paid out of a fund to be established this session, and the sinking fund, and shall be made a joint stock with the annuities established by 24 *Geo. 3. c. 39.* *Ibid.*

The treasurer of the navy, on receipt of navy bills, shall give certificates for the same; and so likewise the treasurer of the ordnance, on the receipt of debentures. *Ibid.*

Bills or debentures, the property of infants may be delivered by their guardians, to the said treasurers: and so may bills or debentures in possession of executors, trustees, or depositaries. *Ibid.*

The bank shall receive certificates; and for every 100*l.* therein contained, give credit for 111*l.* 8*s.* and the stock may be transferred. *Ibid.*

The bank from time to time, shall appoint a cashier and accountant general, and the cashier, on receipt of monies at the exchequer, shall pay the annuities; and the accountant general shall examine the cashier's receipts and payments. *Ibid.*

Monies to be converted into annuities shall be one joint stock, and shall be transferrable: transfer books shall be kept in the accountant general's office, and the stock may be devised by will. *Ibid.*

The bank shall continue a corporation until redemption of the annuities; and no fee shall be taken for computing interest on, or cancelling the said bills, or debentures, on penalty of 20*l.* *Ibid.*

The treasury may reward all persons employed in executing this act, out of the fund for payment of the annuities. *Ibid.*

By 26 *Geo. 3. c. 34.* the long annuities, and annuities for thirty and twenty-nine years, shall be paid on *October 10,* and *April 5,* yearly.

*See title Bank of England, for the other annuities not noticed here.*

## Annuities private.

By 17 *Geo. 3. c. 26.* a memorial of all deeds, bonds, or other instruments for granting life-annuities, shall, within twenty days after the execution thereof, be inrolled in the court of Chancery; which shall contain the date, names of the parties, and witnesses; otherwise every such deed, bond or the like, shall be void.

Before judgment shall be entered of record, upon any warrant of attorney for recovering any annuity already granted, and before execution shall be sued out, on any judgment already entered, a memorial shall be inrolled as aforesaid. *Ibid.*

All future deeds, bonds and instruments for granting of annuities shall contain the consideration, and the names of the parties at length, and if any part of the consideration shall be returned, or any notes shall not be paid when due, the court where the action is brought, may stay the proceedings, and order the deeds, bonds, and other instruments to be cancelled. *Ibid.*



## Appearance.

25

The clerk of the enrolments in chancery shall keep a particular roll for annuities, wherein he shall specify the time of enrolment. His fees are, one shilling for the first 200 words, six-pence for each 100 words after, and one shilling for a search. *Ibid.*

All contracts, for the purchase of annuities with any person under twenty-one years of age shall be void; and any person procuring or soliciting any minor to grant an annuity, or any solicitor, scrivener, or broker taking more than 10*s.* *per cent.* for procuring money for annuities, shall be punished by fine and imprisonment. *Ibid.*

This act shall not extend to annuities, or rent charges by will, marriage settlement, or for advancement of a child; nor, if secured on lands of equal or greater value, if the grantor is seised in fee or tail, or if secured by stocks actually transferred, if the dividend is of greater value; nor to voluntary annuities without pecuniary consideration, nor if granted by corporations, or by authority of act of parliament, or if under 10*l.* *per ann.* unless there be more than one from the same grantor to, or in trust for the same grantee. *Ibid.*

## Appeals.

By *Mag. Chart.* 9 *Hen.* 3. c. 34. no man shall be imprisoned upon the appeal of a woman, for the death of any but her husband.

By 3 *Ed.* 1. c. 14. when the accessory is appealed against, the *exigent* shall stay till the principal is attainted.

By 13 *Ed.* 1. c. 12. malicious appellors and their abettors shall restore the damages sustained by the party appealed, according to the discretion of the judges, and be imprisoned.

By 28 *Ed.* 1. *stat.* 2. if the appellees will be tried by the county, the sheriff shall cause an inquest to appear: when any are appealed by approvers, appellees shall be brought to the same gaols, where the appealors be kept.

By 1 *Hen.* 4. c. 14. all appeals of things done within the realm, shall be tried at the common law, and of things done without the realm, before the constable and marshal, and no appeals shall be sued in parliament.

## Appearance.

By 10 *Hen.* 6. c. 4. and 18 *Hen.* 6. c. 9. no officer shall make an entry of the plaintiff's appearance in person, where he doth not, under the penalty of forty shillings.

Apprentices.

## Apprentices.

By 22 *Hen. 8. c. 4.* no master, wardens, or fellowships of companies, shall take for the entry of any apprentice, above 2*s.* 6*d.* nor for his entry when his term is expired, above 3*s.* 4*d.* upon pain of forfeiting 40*l.* half to the crown, and half to the informer.

By 28 *Hen. 8. c. 5.* no corporation shall restrain any apprentice or journeyman by oath, bond, or otherwise, after his term is expired, from keeping a shop, under the penalty of 20*l.* to be divided in like manner.

By 5 *Eliz. c. 4.* every person having half a plough land in tillage, and being an householder may take an apprentice, above the age of ten years, and under eighteen, to serve in husbandry, till his age of twenty one years, or twenty-four. The taking of the apprentice to be by indenture.

Every householder, twenty-four years old, using a trade in any city, or town corporate, may take an apprentice for seven years, so as his term expires not before his age of twenty-four years. *Ibid.*

But merchants, mercers, drapers, goldsmiths, ironmongers, embroiderers, or clothiers, dwelling in any city or town corporate, shall not take any apprentices, except their own children; and such whose parents are possessed of a freehold estate of 40*s.* *per ann.* which must be certified by three justices of the place where the freehold lies. *Ibid.*

Every householder twenty-four years old, not using husbandry, nor being a labourer, dwelling in any market town, not corporate, may take the child of any other artificer, who dwells in such town, and doth not use husbandry, as an apprentice. But merchants, mercers, and the other persons beforementioned, dwelling in such place, are restrained from taking apprentices, except their own children, and such whose parents possess a freehold estate of 3*l.* *per ann.* shall be certified as before. *Ibid.*

Smiths, wheel, plough and mill-wrights, carpenters, masons, plaisterers, sawyers, lime-burners, brick-makers and layers, tilers, slaters, heliers, linen-weavers, turners, coopers, millers, potters, woollen weavers, weaving household cloth only, fullers, burners of oar, and wood, and thatchers may take the son of any person as an apprentice. *Ibid.*

No person shall use any mystery, craft, or occupation now used in *England*, unless he hath served an apprenticeship of seven years, upon pain of forfeiting 40*s.* *per month.* *Ibid.*

Cloth-makers, fullers, sheermens, weavers, taylors, or shoe-makers having three apprentices, shall keep one journeyman, and one other journeyman for every other apprentice above that number. *Ibid.*

If any person shall be required by an householder, using husbandry, to be an apprentice therein, and refuse, a justice of peace, mayor, or other magistrate may commit him till he consents. *Ibid.*

But none are compellable to enter into apprenticeships, but such as are under twenty-one years of age, and being bound under that age they must serve for the number of years in the indenture mentioned. *Ibid.*

Justices of peace may redress complaints between masters and apprentices. *Ibid.* 2 and 3 *Ann.* c. 6. and 20 *Geo.* 2. c. 19.

By 5 *Eliz.* c. 5. owners of ships, fishers on the seas, gunners, and shipwrights, may take apprentices, for ten years or under; and such apprentices being above seven years old, shall be bound by the same covenants as in London, so that it be by indenture, to be enrolled in the next town corporate, to the apprentice's habitation.

By 43 *Eliz.* c. 2. overseers of the poor, with the assent of two justices, may bind poor children apprentices; and by 2 *Ann.* c. 6. parish boys bound apprentices, may in like manner be turned over to the sea service.

By 7 *Jac.* 1. c. 3. money given for the placing of poor children out apprentices, shall be employed in corporate towns by the corporations, and in other places by the minister, constables, and churchwardens, and persons receiving money with poor apprentices, are to give security for repayment of it in seven years, for the binding out others.

By 21 *Jac.* 1. c. 28. all persons to whom the overseers of the poor shall (according to 43 *Eliz.* c. 2.) bind any poor children apprentices, may take and keep them as apprentices.

By 8 *Ann.* c. 9. the master of every apprentice, clerk or servant bound or articulated for five years shall pay a duty to the crown of sixpence for every twenty shillings when the fee given with the apprentice doth not exceed 50*l.* for all sums above 50*l.* he must pay a duty of one shilling for every twenty shillings.

The duty shall be paid to the full value, for any thing which may be given to the master, in lieu of money. *Ibid.*

The full sum must be inserted in the indentures, upon pain of forfeiting double the amount. *Ibid.*

The indentures must be taken to the stamp-office, if executed within the bills of mortality, within one month: or if executed in the country, to their agents within two months after binding, and the duty must be paid. *Ibid.*

Indentures wherein the full sum is not mentioned, or if the duties are not paid, shall be void, and the apprentice shall have no privilege of freedom, or using his trade. *Ibid.*

Parish apprentices are not to pay the duty. The indenture shall not be admitted in evidence, unless proof is given, that the sum therein mentioned, was *bona fide* the sum received. *Ibid.*

By 9 *Ann.* c. 21. masters neglecting to pay the duty are to forfeit 50*l.* half to the crown, and half to the informer.



## Approbement.

By 18 *Geo. 2. c. 22.* masters omitting to pay the duties, shall forfeit double the rates before charged.

Apprentices paying the double duty on the master's default, shall recover the money with costs, be discharged from their service if required, and have the same benefit as in case of turning over. *Ibid. and 20 Geo. 2. c. 45.*

Apprentices paying the double rates where prosecutions are commenced against their masters, shall be qualified to follow their trades. *Ibid.*

Upon payment of double duties, and tender of the contract to be stamped within two years after the end of the apprenticeship and before prosecution, the contract shall be good, and the penalties on non-payment of apprenticeship duties may be discharged on payment of double duties. *Ibid.*

By 20 *Geo. 2. c. 19.* two justices upon complaint from apprentices, with whom no more than 5*l.* was paid, may summon the master, and upon satisfactory proof of ill-usage they may discharge the apprentices; and the justices upon complaint of masters against such apprentices, and proof upon oath, may commit the offender for not more than one month to the house of correction.

By 6 *Geo. 3. c. 25.* a justice may compel apprentices absenting themselves from their master's service, before the expiration of their apprenticeship, to serve for such term as they shall have been absent, or to make satisfaction. Apprentices paying 10*l.* fee, or where seven years shall have elapsed, after the expiration of their term, excepted. The privileges of the city of *London* in this respect are saved.

By 18 *Geo. 3. c. 47.* no poor child apprenticed by virtue of 43 *Elix. c. 2.* shall continue an apprentice after the age of twenty-one.

## Appropriation.

By 15 *Ric. 2. c. 6.* on the appropriation of churches, a yearly sum shall be distributed, amongst the poor parochians; the vicar also is to be sufficiently endowed.

And by 4 *Hen. 4. c. 12.* in every church appropriated, a secular person shall be ordained vicar perpetual.

## Approbement.

By 20 *Hen. 3. c. 4.* Lords may approve their wastes, leaving sufficient common for their tenants. *The like also.* By 4 *Ed. 1. stat. 1.*

By 13 *Ed. 1. c. 46.* approbement may be as well against neighbours as against tenants, unless where they have a special grant certain, or the like; but they shall not maintain an assize, where it

was



was for the necessary enlarging a curtilage. And where the fences are thrown down in the night by persons unknown, the neighbouring towns shall be distrained for the repair and damages.

By 3 & 4 *Ed. 6. c. 3.* treble damages are given upon the above statutes, and they are not to extend to houses built on the waste or common, not having above three acres of ground belonging to them, nor to any garden not exceeding two acres.

By 29 *Geo. 2. c. 36.* lords and tenants proprietors of wastes, and others having right of common, may by consent inclose any part of the common, for planting and preserving timber or underwood; and parishes may purchase a right of inclosure for the employment of their poor.

By 31 *Geo. 2. c. 41.* the recompence to be made on inclosure of common, is to be paid to the persons respectively interested.

The agreements for the enclosing of commons, must be registered with the clerk of the peace, within three months. 29 *Geo. 2. c. 36.*

By 10 *Geo. 3. c. 42.* if the major part of the owners of common right agree to the inclosure, it shall be as good as if the major part of the occupiers had so consented. Where the owners of wastes, not having the fee-simple, agree to the inclosure for an annuity, such recompence shall be deemed a rent charge.

## Arbitration.

By 9 & 10 *Will. 3. c. 15.* persons agreeing to refer their disputes to arbitrators, may have such award made a rule of any of his majesty's courts, which shall be enforced by process of contempt, unless the arbitration ought to be set aside, for the arbitrator's misbehaviour.

## Arms.

By 7 *Ed. 1. Stat. 1.* to all parliaments and treaties every man shall come peaceably without force and arms.

By 2 *Ed. 3. c. 3.* no man shall come before the justices; or go or ride armed, 7 *Ric. 2. c. 13.* except the king's officers and ministers, 20 *Ric. 2. c. 1.*

By 33 *Hen. 8. c. 6.* persons, not having lands of the yearly value of 100*l.* shall not use or keep any cross bow, hand gun, or the like, upon pain of 10*l.*

By 1 *Jac. 2. c. 8.* No person shall import arms, ammunition, or the like, without licence from the king, upon pain of forfeiting treble the value thereof, half to the king, and half to the informer.

By 29 *Geo. 2. c. 16.* the exportation of arms, gunpowder, salt-petre, and the like, may be prohibited by proclamation, or order of council, and shipping the same after such prohibition, incurs forfeiture, and 100*l.* penalty for every hundred weight of gunpowder,

powder, and saltpetre; 100*l.* for every twenty-five arms; and 100*l.* for every two hundred weight of other ammunition; aiders in the shipping shall forfeit 100*l.* and treble value; and the master 100*l.*

## Arrest.

By 3 *Ed. 1. c. 35.* none, except the king's officers, shall arrest any person passing through a liberty, not holding thereof, for matter arising out of the liberty, upon pain of double damages, and grievous amerciamment to the king.

By 50 *Ed. 3. c. 5.* 1 *Ric. 2. c. 15.* and 1 *Mar. stat. 2. c. 3.* clerks or priests, while performing divine service, shall not be arrested, on pain of imprisonment.

By 8 *Eliz. c. 2.* after arrest, if the plaintiff delays or discontinues his suit, he shall pay the defendant his costs.

By 13 *Car. 2. stat. 2. c. 2.* persons arrested upon writs out of the king's bench, or common pleas, upon which they are bailable by 25 *Hen. 6. c. 10.* are not to give security for appearance in any sum above 40*l.* unless the cause of action be expressed. And if the plaintiff does not put in a declaration, before the end of the term next after appearance, a nonsuit may be entered against such plaintiff, and the defendant shall have judgment, to recover costs: but this does not extend to outlawries.

By 12 *Geo. 1. c. 29.* on writs out of a superior court, where the cause of action is under 10*l.* and out of inferior courts when under 40*s.* the defendant shall not be arrested, but personally served with a copy of the process; and if he doth not appear at the return, the plaintiff may enter appearance for him, and proceed.

Affidavit shall be filed where the cause of action is above 10*l.* or 40*s.* and specified on the back of the writ. *Ibid.*

By 5 *Geo. 2. c. 27.* when cause of action is under 10*l.* in the superior courts, and 40*s.* in the inferior, the defendant shall be served with a copy of the process in *English*, and notice thereon to appear at the return, or within eight days after.

And in such actions special writs shall not be made out, on pain of 10*l.* Attorney's fee for making and serving the copy of the process and notice shall be no more than 5*s.* out of superior courts; and 1*s.* the inferior. *Ibid.*

The above acts were made perpetual by 21 *Geo. 2. c. 3.*

By 19 *Geo. 3. c. 70.* no person shall be arrested upon any process issuing out of inferior courts, where the cause of action doth not amount to 10*l.* but the like copy of process may be served, for 2*s.* 6*d.* and the like proceeding had thereupon as directed by 12 *Geo. 1. c. 29.*

Proceedings in inferior courts (having jurisdiction) in causes of 10*l.* or upwards, shall be the same, as by the 12 *Geo. 1. c. 29.* are ordered in causes of 40*s.* or upwards. *Ibid.*

So much of all acts for recovery of small debts, as authorises imprisonment of defendants, for less than 10*l.* are repealed. *Ibid.*

When

When final judgment is obtained in an inferior court, on affidavit thereof in a court of record at *Westminster*, and that execution hath been sued out, and that the defendant is not to be found within the jurisdiction of such inferior court, the judgment may be removed, and execution sued in the court above. *Ibid.*

No execution for less than 10*l.* in an inferior court shall be stayed, or a writ of error, or supersedeas allowed, unless the defendant, with two sureties, give a recognizance in double the sum, to prosecute such writ of error with effect, and pay the debt and costs, if the judgment be affirmed. *Ibid.*

No cause under 10*l.* shall be removed into a superior court, unless the defendant enter into the like recognizance to pay debt and costs, if judgment pass against him. *Ibid.*

# Assises.

By *Mag. Chart.* 9 *Hen.* 3. c. 12. assizes of *novel disseisin*, and *mort d'ancestor* are to be taken in the proper county by justices.

Assizes of *darrein presentment* shall be always taken before the justices of the bench, and there determined. *Ibid.* c. 13.

By 20 *Hen.* 3. c. 3. disseisors convicted of disseising the same plaintiff of the same freehold, before recovered against them by assize of *novel disseisin*, shall be punished by fine and imprisonment, by the king's writ to the sheriff. The same also by 52 *Hen.* 3. c. 8.

By 3 *Ed.* 1. c. 51. assizes of *novel disseisin*, *mort d'ancestor*, and *darrein presentment*, may be taken in advent, septuagesima, and lent.

By 13 *Ed.* 1. c. 25. for estovers of wood, delivery of corn, toll, passage or the like, assize of *novel disseisin* may be brought, it shall also for common, fishing or the like; and if the defendant fails to make good his exception, he shall be adjudged a disseisor, and pay double damages.

By 7 *Ric.* 2. c. 10. assize of rents issuing out of lands in divers counties, shall be taken in the marches of the county.

By 4 *Hen.* 4. c. 8. a special assize shall issue, where any person makes forcible entry into lands.

By 6 *Hen.* 6. c. 2. indented copies of assizes shall be delivered by sheriffs to the plaintiffs six days before the sessions, and bailiffs shall make their returns, under the penalty of 40*l.*

By 11 *Hen.* 6. c. 2. if the sheriff be named a disseisor, by collusion, so that the writ is directed to the coroner, the writ shall abate, and the plaintiff be amerced.

By 21 *Hen.* 8. c. 3. the plaintiff may abridge his plaint of any part whereunto a bar is pleaded.



## Attaint.

By 3 *Ed. 1. c. 38.* an attaint shall be granted in plea of land, freehold, or any thing touching freehold.

By 14 *Ed. 2. c. 2.* if the former jurors do not appear after the grand distrefs returned, it shall not delay taking the verdict of attaint.

By 1 *Ed. 3. c. 6.* attaint shall be granted, as well upon the principal as upon the damages in a writ of trespass, and the attaint may be taken notwithstanding the damages are not paid.

By 5 *Ed. 3. c. 6. nisi prius* shall be granted in attaints, but no es-join or protection shall be allowed in attaint, and five days in the year shall be given before the justices of the common pleas.

Attaint shall be granted in plea of trespass, whether moved by writ, or without writ, before justices of record, if the damages exceed 40*s.* *Ibid. c. 7.*

By 28 *Ed. 3. c. 8.* attaint shall be granted as well upon a bill, as upon a writ of trespass, without having regard to the quantity of the damages.

By 34 *Ed. 3. c. 7.* attaint shall be granted as well on plea real, as personal, to the poor without fine, and to all others by easy fine.

By 11 *Hen. 6. c. 4.* the plaintiff in attaint shall recover his costs and damages against the jurors, tenants, and defendants.

By 15 *Hen. 6. c. 5.* no persons shall be impannelled on juries in attaint, where the plea concerns land of 40*s.* a year, or personal estates to the amount of 40*l.* who have not freehold of the yearly value of 20*l.* cities and boroughs excepted.

If any of the defendants plead a groundless plea, the justices shall give judgment against them, but it shall not prejudice the rest. *Ibid.*

If there is not a sufficient number in the county, who have lands of 20*l.* a year, the sheriff shall return those who have the most sufficient value under that sum. *Ibid.*

By 18 *Hen. 6. c. 2.* tenants in gavel kind, of 20*l. per ann.* may be impannelled upon attaints.

By 23 *Hen. 8. c. 3.* upon untrue verdicts before judges of record, where the thing in demand extends to 40*l.* value, attaints shall be granted against the petty jury; the processes to be summons, resummons, and distrefs infinite. The distrefs to be awarded fifteen days before the return; but the defendants may plead they gave a true verdict.

The grand jury shall try the verdict of the petty jury on the attaint. Not appearing, forfeit on the first distrefs 20*s.* the second 40*s.* and the third and every other default, 5*l.* An attaint shall lie for him in reversion or remainder, and also for a personal thing under the value of 40*l.* and all attaints shall be taken in the king's bench or common pleas. *Ibid.*

If the petty jury be found to have given an untrue verdict, they are each to forfeit 20*l.* half to the king, and half to the plaintiff, and likewise be disabled to be jurors before any temporal judge. *Ibid.*



## Attornies and Solicitors.

By 20 *Hen. 3. c. 10.* freemen owing suit to the county, tything, hundred, wapentake, or to a court baron, may do the same by attorney.

By 12 *Ed. 2. c. 1.* tenants in assize may make attornies, and may plead by their bailiffs as heretofore.

By 15 *Ed. 2. stat. 1.* parties to fines shall appear personally. The lord chancellor, judges and barons may admit attornies in their respective courts, but such power denied to their clerks and servants.

By 7 *Ric. 2. c. 14.* persons out of the realm, by the king's licence, may make general attornies in writs of premunire, and those attornies may make attornies under them.

By 4 *Hen. 4. c. 18.* all attornies shall be examined by the justices, and by their discretions be enrolled; and being of good fame, shall be sworn truly to serve in their office, and especially to make no suit in a foreign county; and if any attorney be found notoriously in fault, he shall forswear the court, and never after be received in any court of the king.

No officer of a lord of a franchise shall be attorney in any plea within the same. *Ibid. c. 19.*

By 7 *Hen. 4. c. 13.* impotent persons may make attornies to reverse an erroneous outlawry.

By 29 *Eliz. c. 5.* defendants in suits on penal statutes, beingailable, may appear by attorney. But this extends only to subjects, and free denizens, and not to aliens. 31 *Eliz. c. 10.*

By 3 *Jac. 1. c. 7.* attornies or solicitors shall not be allowed fees to counsel, without they produce tickets thereof signed by counsel; and they are to give in true bills to their clients. If they delay the client's suit, or demand more than fees, and disbursements, they are to pay costs and treble damages, and be disabled. None shall be admitted attornies or solicitors in any court, but persons brought up in that court, or well skilled. And no attorney shall permit another to follow a suit in his name, under the penalty of 20*l.*

By 12 *Geo. 1. c. 29.* attornies or solicitors, convicted of forgery, perjury, or common barratry, acting in any court of record, are to be transported as felons, in a summary way.

By 2 *Geo. 2. c. 23.* attornies shall be sworn and admitted by the judges, who are to examine into their capacity before admission.

None shall act as a solicitor, unless he take the oath, and be enrolled, in the court of equity, where he must be previously examined. *Ibid.*

None shall act as an attorney or solicitor, unless he has served a clerkship of five years, and been admitted, but he may with the consent of an attorney of another court, sue out writs in such court. *Ibid.*

Clerks on the deaths of their masters, may be turned over; and attornies and solicitors before admission, are to take an oath to demean themselves honestly in their profession. *Ibid.*

## 34 Attornies and Solicitors.

No attorney shall have more than two articled clerks at one time; but the prothonotaries and secondary may have three. *Ibid.*

Sworn attornies permitting others, who are not, to issue out writs in their names, are disabled to practise. Attornies and solicitors are to be enrolled in the proper courts, and a sworn attorney may be admitted a solicitor, and a sworn solicitor in one court of equity, may be admitted into any other court. *Ibid.*

The name of the attorney retained shall be written on every writ; attornies and solicitors shall not bring any action for fees, till a month after delivery of bills; and parties may get them taxed in the mean time, and if reduced a sixth part, the attorney is to pay the costs of taxation. *Ibid.*

Any person suing any process as an attorney or solicitor, without being admitted and enrolled, forfeits 50*l.* and is disabled to bring any action to recover his disbursements. *Ibid.*

This act shall not extend to the six clerks office in chancery, cursitors, the filacers, attornies and clerks in the exchequer, dutchy court, or solicitors of the treasury. *Ibid.*

By 6 Geo. 2. c. 27. attornies of the superior courts being qualified, may be admitted in inferior courts.

By 12 Geo. 2. c. 13. the not indorsing the attorney's name on warrants upon writs, shall not vitiate the same, for officers may indorse the attornies names upon writs.

Attornies and solicitors may use abbreviations in their bills, and the act of 2 Geo. 2. is not to extend to any bill of fees between one solicitor and another. *Ibid.*

Persons unqualified acting in county courts forfeit 20*l.* and quakers may be enrolled as attornies on their affirmation. *Ibid.*

No attorney, while he is in prison, or within the rules of one, shall commence any suit in his own name or another's, on pain of being struck off the roll, and incapacitated to act in future, and any person permitting him to sue in his name, shall likewise be struck off the roll, and in like manner incapacitated. But he may carry on suits commenced before his confinement. *Ibid.*

By 22 Geo. 2. c. 46. persons bound to serve as clerks to attornies, or solicitors, are to cause affidavit to be made within three months, of the execution of such contracts, which affidavit is to be filed with the proper officer in the respective courts, whose fee thereon is half a crown. None are to be admitted before such affidavit be produced, and openly read in the court, where such person shall be admitted an attorney or solicitor.

No attorney or solicitor shall take a clerk, after discontinuing business; and clerks shall be employed in their proper business during the time of their contract. *Ibid.*

But if a clerk is turned over, he may serve the remainder of his time; if an affidavit is made of the execution of the second contract, and filed according to the above directions as to the first. *Ibid.*

Clerks before they are admitted, are to make affidavit of having served five years. Sworn attornies or solicitors acting for persons

not

not qualified, are to be struck off the roll, and to be committed. *Ibid.*

Unqualified persons are not to act as attornies, or in the name of one, at sessions, under the penalty of 5*l.* The attornies of the dutchy of *Lancaster*, the great sessions of *Wales*, or of *Chester*, *Lancaster*, or *Durham*, are excepted. *Ibid.*

No clerk of the peace, or under-sheriff, shall act as attorney at the quarter sessions for the county, under the penalty of 5*l.* *Ibid.*

Persons admitted sworn clerks in the six clerks office, or having served five years to one, may be admitted solicitors. Clerks may likewise be turned over, but no sworn clerk may have more than two clerks. *Ibid.*

By 23 *Geo. 2. c. 26.* solicitors in the courts of equity may be admitted attornies without fees or stamp.

By 24 *Geo. 2. c. 42.* attornies and solicitors are to be subject to the processes of the court of conscience for *Westminster*.

See the title *Stamps* for the licences to be taken out by attornies, and others under 25 *Geo. 3. c. 8.*

## **Attoznment.**

By 4 *Ann. c. 16.* all grants and conveyances shall be good without attornment of tenants.

By 11 *Geo. 2. c. 19.* attornments made by tenants to strangers of lands, shall be void, and the landlord's possession shall not be affected thereby; so as not made pursuant to some judgment at law, or with consent of the landlord, or to mortgagee, after mortgage forfeited.

## **Avowry.**

By 7 *Hen. 8. c. 4.* & 21 *Hen. 8. c. 19.* upon a replevin sued, an avowry may be made by the lord, or conufance may be taken by his bailiff upon the land without naming the tenant, for rents; and if found for the defendant, he shall recover such damages and costs, as the plaintiff should have had if he had recovered.

By 17 *Car. 2. c. 7.* where a plaintiff is nonsuited before issue joined in replevin, a writ shall issue to enquire of the sum in arrear, the defendant making suggestion in the nature of an avowry for rent. And if judgment be upon demurrer for the avowant, the court shall direct a writ to enquire.

By 11 *Geo. 2. c. 19.* they who distrain for rent or services may avow generally, without setting forth their title.



## Bail.

**B**Y 3 *Ed. 1. c. 15.* prisoners who were before outlawed, those who have abjured, provors, those taken with the *mainour*, breakers of prison, known thieves, house burners, excommunicate taken at the bishop's request, or for treason, are in no wiseailable: but those indicted of larceny before the sheriff, or of light suspicion, or petty larceny not above 12*d.* and the appellee, after the death of the provor, may be let out on sufficient bail, for which the sheriff is to be answerable, and without reward, on pain of fine and imprisonment.

By 3 *Hen. 7. c. 3.* two justices, *quorum unus*, have power to let such persons to bail, till the next sessions, or goal delivery.

By 1 & 2 *Phil. & Mar. c. 13.* none arrested for manslaughter or felony (beingailable by law) shall be let to bail by justices, but in open sessions, or by two justices being both present, which bail is to be certified, together with the examination, on pain of 10*l.*

The coroner, upon an inquisition found before him for murder, or manslaughter, shall put the substance of the evidence into writing, shall bind the witnesses to appear to give evidence, and certify the same, upon pain of being fined by the justices of goal delivery. *Ibid.*

Bail of prisoners, in *London, Middlesex*, and towns corporate, shall be as heretofore, but the same must be certified. *Ibid.*

Every *habeas corpus*, or *certiorari* for such prisoner, must be signed by the chief justice, or one of the judges, on pain of 5*l.* to be forfeited by the writer. *Ibid.*

By 4 & 5 *Will. & Mar. c. 4.* the judges of the king's bench, or any two of them, whereof the chief justice shall be one, and the justices of the common pleas, and barons of the exchequer, may by commission empower persons, other than common attornies, to take recognizances of bail in country causes depending in their several courts.

Any judge of assize may take such recognizances, and cognizors are not compellable to appear in person in court (unless they live in *London*, or within ten miles) to justify themselves, but the same is to be determined by affidavits before the commissioners. *Ibid.*

By 4 *Ann. c. 16.* bail bonds given to the sheriff, may be by him assigned to the plaintiff, who is by this act empowered to sue thereon in his own name.

## Bank of England.

By 5 & 6 *Will. and Mar. c. 20.* the sum of 1,200,000*l.* is charged upon the duties upon tonnage, and beer and ale, and 100,000*l.* *per annum* arising by the said duties, shall be paid amongst such persons as shall contribute towards raising the principal sum of 1,200,000*l.* which contributors were incorporated by the name of *The Governor and Company of the Bank of England*, and enabled to purchase, sue, or

or implead. No person or body politic was to subscribe above 10,000*l.* the corporation shall not give security for more than their capital. They shall not trade with their stock under the penalty of treble value. Judgments obtained against the corporation shall be satisfied by a deduction out of the 100,000*l.* to be yearly paid by the exchequer. They may deal in bills of exchange, in buying or selling bullion, goods pledged and forfeited to them by not redeeming, or the produce of their lands, and their obligations are assignable by indorsement.

Members of the house of commons may be of the corporation of the bank of *England*. *Ibid.* and also 15 *Geo.* 2. c. 13.

By 8 & 9 *Will.* 3. c. 20. in order to enlarge the capital stock of the bank of *England*, any persons were allowed to subscribe, to compleat the 1,200,000*l.* Four fifths of subscriptions to be answered by tallies or orders upon the land tax, and interest of 8 *per cent.* allowed on the tallies; the capital stock to be exempted from taxes, to be deemed a personal estate, and not to be sold without registering the contract in seven days, and transferring within fourteen. No act of the bank shall forfeit the stock of a particular member; the debts of the bank not to exceed the capital stock, if it does, the overplus of shares to satisfy them; to counterfeit the common seal, any bank bill or note, or to alter any indorsement thereon, felony without clergy.

During the continuance of the bank of *England*, there shall be no other corporation in the nature of a bank. *Ibid.* And also 4 *Geo.* 3. c. 25.

By 9 & 10 *Will.* 3. c. 3. The bank shall make their dividends every six months.

By 12 & 13 *Will.* 3. c. 12. the bank shall not be compelled to make dividends but by order of a general court. Also 7 *Ann.* c. 7.

During the continuance of the bank no company united in partnership, exceeding six in number, shall take up money on their bills payable on demand, or under six months. 6 *Ann.* c. 22. 7 *Ann.* c. 7. 3 *Geo.* 1. c. 8. 15 *Geo.* 2. c. 13. 4 *Geo.* 3. c. 25.

By 7 *Ann.* c. 7. the bank may, in a general court, call in money from their members, and on non-payment of their shares, after notice in the gazette, stop their dividends and transfers. Also 3 *Geo.* 1. c. 8.

To enlarge the capital to the sum of 4,402,343*l.* the sum of 2,201,175*l.* 10*s.* was added to the stock of the bank, and new subscribers were incorporated with the old. The stock assignable as the original capital stock. And the original fund of 100,000*l.* *per annum*, to be applied to the use of the members. The bank to make dividends, taking care that the debts they shall owe, exceed not the capital stock; in such case the particular members who have received any share of such dividend, shall be, so far as that will extend, liable to pay the debts owing by the bank. 7 *Ann.* c. 7.

By 9 *Ann.* c. 7. none shall be governor or director of the bank and *East India Company* at the same time.

By 12 *Ann. c. 11.* on twelve months notice after 1st *August* 1742, and on payment to the bank of 1,600,000*l.* and all arrears, the yearly fund of 100,000*l.* shall cease, and the corporation be determined.

By 12 *Ann. stat. 2. c. 3.* the bank of *England* and others may advance money to the treasurers of the navy, upon *South-sea* stock.

By 3 *Geo. 1. c. 8.* the bank being willing to cancel exchequer bills to the amount of 2,000,000*l.* and to accept of an annuity at 5*l. per cent.* for the same, being 100,000*l.* the bank were to deliver up by 25th *December* 1717, as many exchequer bills as amounted to 2,000,000*l.* and to have from that time an annuity of 100,000*l.* out of the duties on houses and the aggregate fund, which annuity may be redeemed on one year's notice in the gazette.

By 11 *Geo. 1. c. 9.* after 24th *June* 1727, the annuities to the bank of 88,751*l.* 7*s.* 10½*d.* and 100,000*l.* shall be reduced to 71,001*l.* 2*s.* 3½*d.* and 80,000*l.*

By 1 *Geo. 2. stat. 2. c. 8.* in consideration of the sum of 1,750,000*l.* an annuity of 70,000*l.* being 4 *per cent.* was granted to the bank, charged on the duty upon coals, which if deficient in the produce, was to be made good out of the sinking fund.

By 2 *Geo. 2. c. 3.* an annuity of 50,000*l.* free from taxes, was granted to the bank, in consideration of the sum of 1,250,000*l.* and charged on the surplus of additional duties on soap, paper, and other articles in 12 *Ann. c. 9.*

Out of the sinking fund 500,000*l.* shall be paid to the bank, for redeeming part of the annuity of 80,000*l.* granted to them by 11 *Geo. 1. c. 9. Ibid.*

By 11 *Geo. 2. c. 27.* out of the supplies then granted, one million shall be paid to the bank for redeeming 40,000*l. per annum* more of the said annuity, reduced by the last act to 60,000*l.*

By 15 *Geo. 2. c. 13.* to enlarge the capital of the bank of *England* to the further sum of 1,600,000*l.* the bank advanced that sum, for an annuity of 96,000*l.* being 3 *per cent.* on their whole capital of 3,200,000*l.* and also 4,000*l. per annum*, towards the charges of their management, making together, an annuity of 100,000*l. per annum.* On which account the clauses in 7 *Ann.* and 12 *Ann.* relative to the determining the yearly fund of 100,000*l. per annum* were repealed, and that annuity charged on the excise, was granted to the bank for ever, with the privileges of perpetual succession, and exclusive banking; subject however to redemption, on payment, by parliament, of the principal and interest, at any time after twelve months notice.

Servants in the bank breaking their trust, by embezzling any of the notes, bills, dividend warrants, bonds, deeds, or any securities, monies, or effects, are to suffer death as felons, without benefit of clergy. *Ibid.*

Persons counterfeiting or altering bank notes, and the like, are to suffer death in the same manner, without benefit of clergy. *Ibid.*

The directors may chuse a chairman to supply the absence of the governor or deputy governor, at any meeting. *Ibid.* And also 24 *Geo. 2. c. 4.*

By



By 15 Geo. 2. c. 19. in consideration of 800,000*l.* annuities at the rate of 3 *per cent. per annum*, chargeable on the sinking fund were granted, transferable at the bank.

By 16 Geo. 2. c. 13 in consideration of 1,800,000*l.* annuities at the rate of 3 *per cent. per annum*, chargeable on the duties on low wines, spirits, and strong waters, were granted and made transferable at the bank.

By 17 Geo. 2. c. 18. annuities on the principal sum of 1,800,000*l.* were in like manner granted at the rate of 3 *per cent. per annum*, chargeable on the same duties, and transferable at the bank.

By 18 Geo. 2. c. 9. annuities on the principal sum of 2,000,000*l.* were granted at the rate of 3 *per cent. per annum*, chargeable on the duties arising from wines imported.

By 19 Geo. 2. c. 6. on the bank delivering up exchequer bills to the amount of 986,800*l.* an annuity of 39,472*l.* charged on the duty upon licences to sell spirits, was granted to them, being 4 *per cent. per annum*, on the principal. And in order to enlarge their capital, the said principal sum of 986,800*l.* was added thereto.

By 19 Geo. 2. c. 12. annuities on the principal sum of three millions, were granted after the rate of 4 *per cent. per annum*, chargeable on the duties upon glass and spirituous liquors.

By 20 Geo. 2. c. 3. annuities on the principal sum of four millions, were granted after the rate of 4 *per cent. per annum*, chargeable on the duties upon houses and windows.

One million was raised by a lottery, for purchase of annuities at 4 *per cent. per annum*, charged on the duties upon coaches. *Ibid.* c. 10.

By 21 Geo. 2. c. 2. six millions three hundred thousand pounds, were raised, by the granting of annuities, at the rate of 4 *per cent. per annum*, chargeable on the subsidy of poundage on goods imported.

By 22 Geo. 2. c. 23. annuities upon the principal sum of 3,230,382*l.* 5*s.* 1*d.* at the rate of 4 *per cent. per annum*, shall be paid out of the sinking fund.

By 23 Geo. 2. c. 16, one million was raised by annuities at the rate of 3 *per cent. per annum*, charged on the sinking fund.

By 24 Geo. 2. c. 4. the bank may proceed in any general court without administering the oaths, unless required by nine of the proprietors so to do, any thing in their charter to the contrary thereof notwithstanding.

By 25 Geo. 2. c. 27. the annuities granted by 4 Geo. 2. c. 9. (see page 23) and by 15 Geo. 2. c. 19. 16 Geo. 2. c. 13. 17 Geo. 2. c. 18. 18 Geo. 2. c. 9. and 23 Geo. 2. c. 16. carrying 3 *per cent.* interest, and amounting in the principal sum to eight millions two hundred thousand pounds, are converted into one joint stock of annuities, transferable at the bank.

The proprietors of the 3 *per cent.* annuities, granted by 9 Geo. 2. c. 34. 11 Geo. 2. c. 27. and 8 Geo. 1. c. 20. (See page 23) may subscribe the same into the said joint stock. *Ibid.*

The annuities granted by 19 Geo. 2. c. 12. 20 Geo. 2. c. 3. and 21 Geo. 2. c. 2. and 22 Geo. 2. c. 23. bearing interest after the rate of 3*l.* 10*s.* *per cent. per annum*, pursuant to certain acts of parliament in that behalf, were consolidated into one joint stock transferable at the bank. *Ibid.*

The proprietors of exchequer orders, payable out of the duties on plate, according to 6 Geo. 1. c. 11. (*See page 22*) were allowed to subscribe the same into the last mentioned stock. *Ibid.*

By 28 Geo. 2. c. 15. annuities were granted in respect of 1,000,000*l.* chargeable on the sinking fund, at the rate of 3 *per cent. per annum*, to commence from 5th January 1756, and be added to the joint stock of 3 *per cent.* annuities mentioned in the last act.

By 29 Geo. 2. c. 7. the sum of 1,500,000*l.* was raised by annuities at the rate of 3*l.* 10*s.* *per cent. per annum*; and also the sum of 500,000*l.* by a lottery, with annuities at the rate of 3 *per cent. per annum*, both chargeable on the sinking fund.

The annuities at 3 and an half *per cent.* to be deemed part of the joint stock mentioned in 25 Geo. 2. c. 27. and the 3 *per cent.* annuities part of the consolidated stock therein described. *Ibid.*

By 30 Geo. 2. c. 19. the sum of three millions was raised by the granting of annuities after the rate of 3 *per cent. per annum*, with a further annuity of 1*l.* 2*s.* 6*d.* *per cent.* for the life of each original contributor, chargeable on the stamp duties therein mentioned.

By 31 Geo. 2. c. 22. the sum of 4,500,000*l.* was raised by the granting of annuities, payable out the duties upon places and pensions, and upon houses and windows, at the rate of 3*l.* 10*s.* *per cent. per annum*; and also the sum of 500,000*l.* by way of lottery for annuities, at the rate of 3 *per cent. per annum*, payable out of the same duties.

By 32 Geo. 2. c. 10. the sums of 6,600,000*l.* and 990,000*l.* were raised by the way of annuities at the rate of 3 *per cent. per annum*, charged on a subsidy of poundage upon goods imported; and an additional duty on coffee and chocolate, thereby granted.

The sum of three millions borrowed by virtue of 30 Geo. 2. c. 19. was added, by the consent of the proprietors, to the joint stock of 3 *per cent.* consolidated annuities transferable at the bank, and charged on the sinking fund. *Ibid.* c. 22.

By 33 Geo. 2. c. 7. the sums of 8,000,000*l.* and 240,000*l.* were raised by the way of annuities, at the rate of 4 *per cent. per annum*, for the term of twenty-one years, from 5th January 1761, and after the expiration of that term, at the rate of 3 *per cent. per annum*, payable out of the duties upon malt. Transferred by the 2 Geo. 3. c. 9. to the sinking fund.

The principal sums of 6,600,000*l.* and 990,000*l.* raised by 32 Geo. 2. c. 10. were made part of the joint stock of 3 *per cent.* annuities, consolidated by the acts of 25, 28, 29, and 32 Geo. 2. *ibid.* c. 12.

By 2 Geo. 3. c. 10. the sum of 12,000,000*l.* thereby granted, was raised by annuities chargeable on the sinking fund.

As to the sum of 9,600,000*l.* the subscribers, for every 80*l.* advanced towards that sum, are intitled to 100*l.* capital, and an annuity thereupon of 4 *per cent.* for 19 years; and after the expiration of that term, to 3 *per cent.* The annuities of 4 *per cent.* to commence on 5th January 1762. *Ibid.*

As to the remaining sum of 2,400,000*l.* the subscribers for every 20*l.* advanced towards that sum, are intitled to an annuity of 1*l.* for ninety-eight years, to commence on 5th January 1762. *Ibid.*

By 3 Geo. 3. c. 9. annuities after the rate of 4 *per cent. per annum*, were granted, chargeable on the sinking fund, in order to satisfy certain navy, victualling, and transport bills, and ordnance debentures, amounting in the whole to 3,670,739*l.* 2*s.* 8*d.*

By 5 Geo. 3. c. 23. in order to discharge certain navy, victualling, and transport bills, amounting to 1,500,000*l.* the subscribers who advanced money to compleat that sum were intitled to annuities after the rate of 3 *per cent. per annum* for two fifth parts of such monies; to a proportionable number of lottery tickets for the other two fifth parts, with the prizes to be attended with annuities at the rate of 3 *per cent. per annum*; and for the remaining fifth part, a like annuity of 3 *per cent. per annum*, with liberty to convert every share of the last mentioned annuities, for 100*l.* capital stock, into an annuity for life, at the same rate, with benefit of survivorship; the sinking fund is charged with the payment of such annuities.

By 5 Geo. 3. c. 42. one fourth part of the annuities by 3 Geo. 3. c. 9. charged on the sinking fund, was paid off, amounting to 870,888*l.* 5*s.* 5½*d.*

By 6 Geo. 3. c. 21. one third more was paid off.

By 7 Geo. 3. c. 25. one fourth part of 875,000*l.* annuities, charged on the duty on wine, by 3 Geo. 3. c. 12. was redeemed.

The remainder of the annuities granted by 3 Geo. 3. c. 9. being 1,741,776*l.* 10*s.* 11*d.* was redeemed. *Ibid.* c. 26.

By 10 Geo. 3. c. 36. the sum of 1,500,000*l.* part of the two millions granted by 29 Geo. 2. c. 7. was paid off.

By 17 Geo. 3. c. 46. the sum of 500,000*l.* was raised by annuities at 4 *per cent.* for ten years, from 5th April 1777; redeemable with 10 *per cent.* for ten years only, and 500,000*l.* by a lottery.

By 18 Geo. 3. c. 22. subscribers to the sum of 6,000,000*l.* were intitled to an annuity of 3 *per cent.* and also to an annuity of 2*l.* 10*s.* *per cent.* for thirty years, both payable half yearly, from 5th July, 1778.

By 19 Geo. 3. c. 18. subscribers to the sum of 7,000,000*l.* were intitled to an annuity of 3 *per cent.* and also to an annuity of 3*l.* 15*s.* for twenty-nine years, or for life, payable half yearly from 5th July, 1779.

By 20 Geo. 3. c. 16. subscribers to the sum of 12,000,000*l.* are intitled to annuities at 4 *per cent.* and also 1*l.* 16*s.* 3*d.* for eighty years, from 5th July, 1780.

By 21 Geo. 3. c. 14. contributors to the sum of 12,000,000*l.* shall be intitled to certain annuities, viz, 100*l.* at 3 *per cent.* 50*l.* the like, and 25*l.* at 4 *per cent.* for each hundred; which shall be charged on the sinking fund.



By 21 Geo. 3. c. 60. the bank advanced government 2,000,000 *l.* for the confirmation of their exclusive privilege of banking, to be repaid by exchequer bills, which were to be repaid out of the supplies to be granted in 1784.

The bank shall remain a body corporate, and shall enjoy an exclusive privilege of banking: but after August 1, 1812, upon twelve months notice, and repayment of the 3,200,000 *l.* by them advanced under 7 Ann. c. 7. 12 Ann. 15 Geo. 2. c. 13. 4 Geo. 3. c. 25. and 4 Geo. 3. c. 1. and all arrears of the 100,000 *l.* *per annum*, the said fund shall cease.

## Bankrupts.

By 13 Eliz. c. 7. if any merchant, or other person using trade, bart'ry, or otherwise, in gross or by retail, or seeking his living by buying and selling, subject or denizen, shall depart the realm, keep his house, absent himself, suffer himself to be arrested for a debt not due, or to be outlawed, or yield himself to prison, or depart from his dwelling-house, with intent to defraud or hinder a just creditor, he shall be deemed a bankrupt.

The lord chancellor, on complaint in writing, may appoint commissioners, under the great seal, who are authorized to order the body, goods, and lands, freehold or copyhold, for satisfaction of creditors in equal portion. *Ibid.*

But the person to whom any copyhold shall be sold, shall compound with the lord of the manor for his fine, before he enters or takes any profit. *Ibid.*

The commissioners, on request, shall declare to the bankrupt, how they have bestowed his estate, and pay him the overplus. *Ibid.*

The commissioners may summon and examine all persons suspected of knowing or concealing a bankrupt's goods, debts, or effects. *Ibid.*

If such person refuse to swear, or to discover the truth, or if any persons fraudulently claim, or detain any goods, debts or tenements, they shall forfeit double the value concealed, to be levied and distributed by the commissioners amongst the creditors: and if there be an overplus, one moiety of such forfeitures shall be paid to the crown, the other to the poor. *Ibid.*

If the bankrupt doth not surrender himself, after five proclamations made near the place of his abode, he shall be out of the queen's protection; and if any persons conceal him, they shall be fined by the lord chancellor. *Ibid.*

A creditor, not satisfied his whole debt, shall have his remedy for the residue, as before this act. *Ibid.*

The commissioners may sell lands that come to the bankrupt before satisfaction is made to the creditors. *Ibid.*

This act does not extend to lands sold *bona fide*, before bankruptcy, and not to the use of the bankrupt himself.

By

By 1 Jac. 1. c. 15. any person using trade or the like, that shall fraudulently procure himself to be arrested, or his goods to be attached, or make any fraudulent grant of his estate, whereby his creditors may be defeated or delayed, or being arrested, shall thereon lie in prison six months, shall be adjudged bankrupt.

Any creditors may share with the rest, within four months after the commission sued, and until distribution, contributing to the charges. *Ibid.*

Estates of a bankrupt conveyed to any of his children, or other persons, or debts transferred into others names, unless upon marriage, or for some valuable consideration, may be sold by the commissioners. *Ibid.*

The bankrupt not appearing on three notices left at his house, may be proclaimed a bankrupt, and not appearing on five proclamations, he may be apprehended. *Ibid.*

The commissioners may examine the offender, as to his estates, upon interrogatories. On refusal to answer fully, they may commit him, until he shall conform; and for perjury to the value of 10*l.* he is to stand on the pillory. *Ibid.*

Such persons as refuse, on summons, to appear and answer to interrogatories, may be committed until they submit; and witnesses sent for are to be allowed their charges, and shall be liable to the penalties of 5 Eliz. for perjury. *Ibid.*

Forfeitures by force of this act are to be recovered by creditors only. *Ibid.*

Debts due to the bankrupt may be assigned, but no debtor of the bankrupt is to be prejudiced on account of paying any debt to him, before he knew that he was become bankrupt. *Ibid.*

The commissioners in any action brought against them, may plead the general issue, and give the statute in evidence. *Ibid.*

If the bankrupt dies, after the commission is sued and dealt in, the commissioners may notwithstanding proceed in execution. *Ibid.*

By 21 Jac. 1. c. 19. all former statutes against bankrupts shall be largely and beneficially construed for the aid of the creditors.

Every person using trade, by bargaining, exchange, bartering, chevifance, or otherwise in gross or by retail, or seeking his living by buying and selling, or using the trade or profession of a *scrivener*, who shall obtain any protection, other than lawful privilege of parliament, or exhibit any bill, to compel his creditors to accept less than their just debts, or procure longer days of payment, or upon any arrest for debt shall lie in prison two months or more, or being arrested for a debt of 100*l.* shall escape out of prison, or procure his enlargement by common or hired bail, shall be a bankrupt from the time of the first arrest. *Ibid.*

The commissioners may examine the bankrupt's wife for discovery of his estates, and on refusal, she is liable to the same penalties, as others are in like cases. *Ibid.*

If a bankrupt conceals goods to the value of 20*l.* fraudulently, or does not shew casual loss, whereby he became disabled, on indictment and conviction, he shall be set on the pillory. *Ibid.*

The commissioners may authorize persons to break open the bankrupt's house, doors, or chests, and to seize and order the body, goods, and money as before appointed. *Ibid.*

The bankrupt's goods shall be divided rateably, notwithstanding any judgment, bond, or attachment in *London*, so that execution was not executed before he became bankrupt. *Ibid.*

His goods shall be liable notwithstanding an extent, where the bankrupt was not originally debtor to the king. *Ibid.*

Goods in a bankrupt's possession, by consent of the owner, and whereof he is the reputed owner, may be sold. *Ibid.*

The commissioners, by deed inrolled, within six months, may sell the bankrupt's estates in tail, in possession, reversion or remainder, unless the remainder is in the king by his grant. *Ibid.*

Conditional estates granted by a bankrupt, may be redeemed by the commissioners and sold. *Ibid.*

No purchaser for valuable consideration, shall be impeached, unless the commission be sued within five years after the bankruptcy. *Ibid.*

All statutes against bankrupts shall extend equally to aliens as denizens, or natural born subjects. *Ibid.*

By 13 & 14 Car. 2. c. 24. adventurers in the *East India* company, *Guinea* company, or royal fishing trade, shall not be deemed traders within any statute for bankrupts, on account of such adventure only.

By 8 & 9 Will. 3. c. 20. and 3 Geo. 1. c. 8. no members of the bank shall be deemed bankrupts, in respect of their stock only.

The *South-sea* Company are likewise exempted by 9 Ann. c. 21. and 8 Geo. 1. c. 21.

By 10 Ann. c. 15. the discharge of a bankrupt shall not extend to his partner, or one jointly bound with him.

By 7 Geo. 1. c. 31. creditors of a bankrupt, whose debts are payable at a future day, shall be admitted to a proportionable dividend, discounting at the rate of 5 per cent. and the bankrupt shall be discharged in the same manner, as if such debts had been due before he became bankrupt.

By 5 Geo. 2. c. 30. if a bankrupt does not, within forty-two days after notice left at his house, or personal notice in case he is in prison, and notice in the *London* gazette, surrender himself, and conform to the statutes by discovering his estate and effects, or if he embezzles goods to the value of 20*l.* or conceals books of account fraudulently, he shall suffer as a felon, without benefit of clergy, and his estate shall be divided amongst the creditors.

The commissioners within the forty-two days, shall appoint not less than three meetings, the last to be on the forty-second day, whereof three weeks notice is to be given in the *London* gazette. *Ibid.*

The lord chancellor may enlarge the time for a bankrupt's surrendering, not exceeding fifty days from the end of the forty-two days, by order made six days at least before the time he was to have surrendered. *Ibid.*

The



The bankrupt shall deliver up his accounts, which are not seized, upon oath or affirmation, and upon notice he shall attend and assist the assignees. *Ibid.*

The bankrupt may inspect the accounts, and shall be free from arrests during the said forty-two days, or such further time as is allowed him to surrender, unless he was in custody at the time of his submission. If arrested within that time, on producing the notice or summons, he shall be discharged, and the officer detaining him shall forfeit 5*l.* a day to such bankrupt. *Ibid.*

Bankrupt in custody at the time of his surrender, shall be brought before the commissioners at the expence of the estate, and if in execution, they shall take his examination in prison. *Ibid.*

Bankrupts discovering their estate and effects, shall, if the creditors are paid 10*s.* in the pound, be allowed 5*l.* *per cent.* out of the neat proceed, so that it does not exceed 200*l.* and if they are paid 12*s.* and 6*d.* in the pound, the bankrupt shall be allowed 7*l.* 10*s.* *per cent.* not exceeding 250*l.* in the whole, and if the creditors are paid 15*s.* in the pound, he shall be allowed 10*l.* *per cent.* not exceeding 300*l.* and such bankrupt shall be discharged from all debts due at the time he became bankrupt. *Ibid.*

If the neat produce of the estate discovered by the bankrupt does not amount to 10*s.* in the pound, he shall be allowed what the assignees and the commissioners think fit, not exceeding 3*l.* *per cent.* *Ibid.*

The future effects of bankrupts who shall have been discharged by any insolvent act, compounding with creditors, or by becoming bankrupt, shall be liable, unless the effects are sufficient to pay 15*s.* in the pound. *Ibid.*

No discovery shall intitle the bankrupt to the benefit of this act, unless the commissioners certify his conformity, and such certificate must be signed by four fifths in number and value of the creditors, whose respective debts are not less than 20*l.* The bankrupt must make oath or affirmation, that he did not obtain the signing thereof by fraud; and if he gives any securities, to induce creditors to sign the certificate, such securities shall be void. *Ibid.*

No bankrupt shall have any benefit under this act, who has given above 100*l.* on the marriage of any of his children, unless he can prove that he had sufficient effects to pay all his debts at that time; or that he has not lost at gaming 5*l.* in one day, or 100*l.* in one year, before he became bankrupt. *Ibid.*

The bankrupt after his certificate is allowed, shall be discharged from any execution, or detention in prison, for debt due at the time he became bankrupt. *Ibid.*

Judges, or justices of the peace, may grant warrants to apprehend bankrupts, who do not conform; when apprehended the gaolers are to give notice to the commissioners; and bankrupts goods, books, and effects may be seized in any prison; but the bankrupt, so apprehended, on his conforming, may have the benefit of this act. *Ibid.*

Bankrupt and others not answering the interrogatories of commissioners, may be imprisoned until they submit, but the warrant of commitment shall specify the question. *Ibid.*

If an *habeas corpus* is brought on such commitment, the judge may recommit the prisoner, until he shall conform, though the form of the warrant is insufficient, unless it appear that he had answered all lawful questions; and the gaoler suffering the bankrupt to escape, or to go out of prison, shall forfeit 500*l.* for the benefit of the creditors, and if he refuses to shew his prisoner to a creditor who has proved his debt, he shall in like manner forfeit 100*l.* *Ibid.*

Persons discovering effects concealed by bankrupts, are to be allowed 5 *per cent.* thereout; and persons concealing the same are to forfeit 100*l.* and double the value to the creditors. *Ibid.*

Creditors on bonds, notes, or bills, payable at a future day, may petition for commissions, and no commission shall be granted, unless the debt of a single petitioner amounts to 100*l.* of two creditors petitioning to 150*l.* or of three creditors to 200*l.* which must be sworn to or affirmed, and bonds must be given to prove the bankruptcy. *Ibid.*

Where creditors have made a collusive composition with the bankrupt, to have more than the rest, they shall forfeit their whole debts and pay back what they have received to the creditors; and the commission in such case, shall be superseded, and another granted to the other creditors. *Ibid.*

The charge of suing the commission shall be paid by the petitioners, and reimbursed out of the bankrupt's effects, and creditors shall be admitted without contributing. *Ibid.*

After the party is declared a bankrupt, the commissioners shall give notice in the gazette, of the meetings; and creditors living remote may prove their debts by affidavit, or affirmation made before a master extraordinary; and, by letter of attorney, may vote in the choice of assignees, who shall keep accounts for the inspection of creditors. But no creditor shall vote for assignees, whose debt does not amount to 10*l.* *Ibid.*

Mutual credits with the bankrupt, shall be settled according to the balance of the account. *Ibid.*

Persons swearing to debts falsely, are to forfeit double the sum to the other creditors, and be liable to the statutes made against perjury. *Ibid.*

The commissioners may appoint assignees for the securing bankrupt's effects, who may be removed by the creditors at their meeting, and others chosen, and for not delivering up the effects to the new ones, after ten days notice, the first assignees shall respectively forfeit 200*l.* to the creditors. And notice of the removal of assignees, and appointment of others, in whom the effects are vested, shall be given in the gazette. *Ibid.*

Creditors, before the choice of assignees, may appoint the manner of paying the monies got in. *Ibid.*

After four months, and within twelve months, from the commission, assignees shall give twenty-one days notice in the gazette, and creditors may come then and prove their debts, and a dividend shall be directed. *Ibid.*

Assignees,

Assignees, with the consent of creditors, may submit disputes to arbitration, and compound debts. *Ibid.*

A bankrupt, after his certificate is allowed, shall attend and assist the assignees in settling his accounts, for which attendance he shall be paid 2s. 6d. a day; and if he refuses, he may be committed till he shall conform. *Ibid.*

A final dividend shall be made within eighteen months, unless there is a suit depending, or some effects outstanding. *Ibid.*

No suit in equity shall be commenced without consent of a majority of the creditors. *Ibid.*

Bankers, brokers, and factors, shall be liable to the bankrupt laws; but no farmer, grazier, or drover of cattle, or receiver general of taxes, shall be within any statutes concerning bankrupts. *Ibid.*

Proceedings may be entered on record, by direction of the lord chancellor, and may be searched, and copy of such record and of certificate allowed, shall be evidence to discharge bankrupts from actions, unless the creditor proves it was fraudulently obtained. *Ibid.*

No schedule shall be annexed to any assignment of the bankrupt's personal estate from the commissioners to the assignees: and if a commissioner takes above 20s. for each meeting, or orders any expence, he shall be disabled. *Ibid.*

Commissioners are to take an oath to act impartially, and enter a memorial thereof amongst the proceedings. *Ibid.*

Commissions shall not abate by demise of the king, but if necessary to renew the same, through the death of the commissioners, the same shall be done for half fees. *Ibid.*

Fees of solicitors employed under commissions, are to be settled by a master in chancery, who is to have 20s. for so doing. *Ibid.*

This act by 26 Geo. 3. c. 80. shall continue in force till September 29, 1788.

By 19 Geo. 2. c. 32. creditors of bankrupts shall not be liable to refund to the assignees, monies, *bona fide*, received in the course of trade, before notice of insolvency.

Creditors on bottomree bonds, policies of insurance, and the like, shall be admitted to prove, as if the contingency had happened, and the bankrupt shall be discharged from the debt accordingly. *Ibid.*

By 24 Geo. 2. c. 57. certificates signed by fictitious creditors, unless the bankrupt discloses the fraud, shall be void.

Letter of attorney from a creditor in foreign parts, attested by a notary public, shall be sufficient evidence to authorize his signing the certificate. *Ibid.*

By 4 Geo. 3. c. 33. the creditors of any merchant within the description of the laws relating to bankrupts, having privilege of parliament, may, upon affidavit made of the debt, and filed in any of the courts at *Westminster*, sue out a summons, or original bill, against such debtor: and if he shall not, within two months, pay, secure, or



or compound for the debt, he shall be adjudged a bankrupt; and a commission may be accordingly sued out against him.

But persons intitled to privilege are not to be arrested, except in cases made felony in the bankrupt laws. *Ibid.*

## Banks.

By *Mag. Chart.* 9 *Hen.* 3. c. 15. no town or freeman is to be distrained to make banks, or the like, but such as of old time and of right have been accustomed, and by the same charter c. 16. such banks are to be defended and bounded as in the time of king *Henry* grandfather to the then king.

By 22 *Hen.* 8. c. 11. cutting down powdike, and oldfield dike, marsh land, in *Norfolk* and *Ely*, is made felony.

By 27 *Eliz.* c. 24. justices of peace in *Norfolk* may take order, in sessions, for repair of sea banks in that county.

By 6 *Geo.* 2. c. 37. and 31 *Geo.* 2. c. 42. persons maliciously breaking down sea banks, or the banks of any river, shall suffer as felons, without benefit of clergy.

By 10 *Geo.* 2. c. 32. and 31 *Geo.* 2. c. 42. persons removing any piles, or other materials used for security of sea banks, shall forfeit 20*l.* to be levied by distress, and for want thereof, be imprisoned six months.

By 15 *Geo.* 2. c. 33. persons cutting starr or bent from the sand hills on the north-west coasts, shall forfeit 20*s.* for the first offence and for the second offence be committed to the house of correction.

## Bark of Oak.

By 12 *Geo.* 3. c. 50. when under 10*l.* per load of hatch, 45 cwt. in *London*, or in the kind 2*l.* 10*s.* per load, thirty yards three rinds thick with two skirts and a cover; none shall be imported on penalty of 20*l.* and a register shall be kept of the prices.

By 13 *Geo.* 3. c. 74. if seized and condemned in *Scotland*, the penalty may be recovered in the exchequer there.

By 24 *Geo.* 3. c. 19. the 12 *Geo.* 3. c. 50. was revived, and continued until the year 1790.

## Bastardy.

By 9 *Hen.* 6. c. 11. on certificate of issue joined, proclamation shall be made in chancery, before any writ is awarded to the ordinary to certify bastardy.

By 18 *Eliz.* c. 3. and 16 *Car.* 1. c. 4. the two next justices of peace to the parish where the bastard was born, may charge the  
2  
reputed

reputed father or mother, for its maintenance, and on default commit them.

By 7 *Jac.* 1. c. 4. lewd women, who have bastards, which may be chargeable to the parish, may be committed by the justices of peace, to the house of correction.

By 3 *Car.* 1. c. 4. justices of peace within their limits and in their sessions may do all things concerning that part of 18 *Eliz.* c. 3. that by justices of peace in the counties are by that act limited to be done.

By 6 *Geo.* 2. c. 31. the putative father of a bastard may be apprehended immediately, and committed to prison, unless he gives security to indemnify the parish.

By 17 *Geo.* 2. c. 5. bastards of vagrant women, shall not be settled in the place where born, but at the settlement of the mother.

## Bawdy-houses.

By 25 *Geo.* 2. c. 36. on oath made by two inhabitants, before a justice of peace, of bawdy-house, the charges of prosecution shall be paid by the parish.

The person managing the same shall be deemed the keeper, and evidence may be given by any of the inhabitants. *Ibid.*

## Beads and Bugles.

The 2 & 3 *Ann.* c. 9. allows eighteen months from their entry for their exportation. Enlarged to three years by 7 *Geo.* 1. *stat.* 1. c. 21.

The 5 *Geo.* 3. c. 30. allows five years. The 16 *Geo.* 3. c. 48. enlarged that term to ten years as to bugles imported before May 1. 1776 and warehoused; and the 21 *Geo.* 3. c. 28. extended that term for ten years further, in respect to bugles imported, before the passing of this last act, and warehoused.

## Beer and Ale.

By 51 *Hen.* 3. *stat.* 6. brewers are to sell ale according to the price of corn.

By 11 & 12 *Will.* 3. c. 15. retailers of ale shall sell it only in vessels according to the standard in the exchequer, upon pain of not more than 40s. nor less than 10s. But by 12 & 13 *Will.* 3. c. 11. this shall not extend to the universities.

By 13 *Will.* 3. c. 5. no melasses, foreign grains, guinea pepper, *coculus Indiae*, or other unwholesome ingredients shall be used in brewing, nor shall any sugar or the like be mixed with any beer in cask, after the same is cleansed; on pain of 20s. for each offence.

By 9 *Ann. c. 12.* no brewer shall use broom, wormwood or the like instead of hops, on pain of 20*l.* for each offence, but the retailers of beer, after the same is brewed and tunned, may infuse such things therein, to make broom, or wormwood ale.

By 2 *Geo. 3. c. 14.* the price of strong beer and ale may be reasonably advanced, without subjecting the vendor to prosecution.

No person shall fraudulently mix strong beer, ale, or strong worts with small beer, small worts, water or other liquer, after the same has been gauged by the excise officer, on pain of 50*l.* for every offence. *Ibid.*

Beer shipped for exportation, and afterwards relanded, shall be forfeited and 50*l.* a cask. *Ibid.*

### Berwick.

By 22 *Ed. 4. c. 8.* merchandizes carried into, or brought out of *Scotland*, shall be customed at *Berwick* or *Carlisle*.

Freemen of *Berwick* shall have the farm of the fisheries there; but this act shall not extend to, or prejudice the Bishop of *Durham*. *Ibid.*

By 1 *Jac. 1. c. 28.* the charter granted to the mayor and burgeses is confirmed.

By 20 *Geo. 2. c. 42.* *Berwick* shall be included in all acts of parliament, where the kingdom of *England* is mentioned.

### Bills of Exchange and Promissory Notes.

By 9 & 10 *Will. 3. c. 17.* inland bills of exchange of 5*l.* or upwards for value received, may be protested by a notary public for non-payment, after acceptance, and three days after it is due.

Such protest, or notice thereof, shall be given in fourteen days to the party, and in default thereof, the person so failing shall be liable to all costs, damages, and interest. For the protest not more than sixpence shall be paid. *Ibid.*

Where an inland bill is lost, or miscarries, the drawer being indemnified, shall give another. *Ibid.*

By 3 & 4 *Ann. c. 9.* promissory notes may be assigned or indorsed, and an action maintained thereon, as on inland bills of exchange.

If inland bills of exchange are refused to be accepted, the same may be protested, for which protest no more than two shillings shall be paid. *Ibid.*

No acceptance of such bills shall be sufficient, unless the same be underwritten; and no drawer shall be liable unless the bill is protested, and notice sent within fourteen days after. *Ibid.*



No such protest is necessary, unless the value is expressed in such bill to be received, and unless such bill is drawn for 20*l*. or upwards. *Ibid*.

Such bill shall be esteemed a payment of a debt, if the party receiving the same does not take his due course to obtain payment, as above directed. *Ibid*.

This act was made perpetual by 7 *Ann*. c. 25.

By 6 *Geo*. 1. c. 21. bills of exchange wrote on the same piece of paper with a letter, shall be rated at the post-office as distinct letters.

Bills of exchange, invoices, and bills of lading sent from the post-office in *London*, to foreign parts, being wrote on the same sheet of paper, shall be allowed at the price of the letter.

The forging of any bill of exchange, promissory note, indorsement, acceptance, or the like, with intent to defraud any person, is made felony without benefit of clergy, by 2 *Geo*. 2. c. 25. 7 *Geo*. 2. c. 22. and 9 *Geo*. 2. c. 18.

And by 18 *Geo*. 3. c. 18. Persons forging the acceptance of a bill of exchange, or number, or principal sum in any accountable receipt for any note, bill, or other security for money, or any warrant, or order for payment of money with intent to defraud any corporation, or uttering such, shall be deemed felons, without benefit of clergy.

By 15 *Geo*. 3. c. 51. promissory notes, bills of exchange or draughts, or undertakings in writing, negotiable or transferrable, for less than twenty shillings shall be void, and persons uttering the same, shall forfeit, not more than 20*l*. nor less than 5*l*.

This act was to continue in force from 1777, for the term of five years, and from thence to the end of the then next session of parliament.

By 17 *Geo*. 3. c. 30. all negotiable notes, bills or draughts for more than twenty shillings and less than 5*l*. which shall be issued in *England*, after *January* 1, 1778, shall specify the names and abodes of the persons to whom payable, and shall be dated when given. The signing of every such note, and indorsement shall be attested by one witness, or else void.

Persons publishing or negotiating any such notes contrary to the method prescribed by this act shall be subject to the like penalty as in the last act. *Ibid*.

The former act, and also this present act, shall continue in force, not only for the remainder of the term of five years in the said former act mentioned, and from thence to the end of the then next session of parliament, but also for the further term of five years, and from thence to the end of the then next session of parliament. But such acts are by 27 *Geo*. 3. c. 16. made perpetual.

The duties on bills of exchange, and promissory notes are specified under the title *Stamps*.

## Blasphemy.

By 9 & 10 *Will.* 3. c. 32. Persons educated in the christian religion denying the Trinity, or authority of the Old and New Testaments, on conviction, are disabled to hold any office, and for a second offence are to be disabled to sue or defend any action, or be guardian, or representative of any person, or capable of any legacy or gift, and shall be imprisoned three years, without bail.

But information must be given of the words within four days, and the prosecution within three months after: and if persons renounce, after the first conviction, they are to be discharged of all penalties. *Ibid.*

## Books.

By 25 *Hen.* 8. c. 15. none shall buy to sell again printed books, ready bound, imported from beyond sea, under penalty of 6*s.* 8*d.* a book, and none shall buy books by retail, imported by any stranger, under the like penalty.

By 3 & 4 *Ed.* 6. c. 10. popish books, missals, legends, and antiphoners shall be abolished.

By 17 *Car.* 2. c. 4. a printed copy of every book shall be sent to the king's library, and to each of the two universities.

University printers shall deliver one copy of books printed there, to the king's library, and to the vice-chancellor of each university and two others for the public libraries there, on pain of 5*l.* each book.

By 8 *Ann.* c. 19. authors of books and their assigns shall have the sole right of printing them for 14 years from the day of publishing, and others printing the same without their consent, shall forfeit the books and one penny for every sheet.

The title of copies shall be entered before publication, in the register-book of the company of stationers, for inspection, and the clerk of the company shall give a certificate thereof for sixpence. *Ibid.*

Nine copies of each book shall be delivered to the warehouse-keeper of the company of stationers for the use of the royal library, the libraries of *Oxford* and *Cambridge*, the libraries of the four universities in *Scotland*, of *Sion* college, and the library of the advocates at *Edinburgh*, within ten days after demand; on pain to forfeit the value of the books and 5*l.* *Ibid.*

This act shall not restrain the importing of books in *Greek*, *Latin*, or any foreign language, printed beyond sea; nor extend to the right of the universities. *Ibid.*

The general issue may be pleaded by defendants, having acted under this act. *Ibid.*

After

After the first fourteen years, the right of printing shall return to the author, if living, for other fourteen years. *Ibid.*

The author of any pamphlet shall lose all property therein if the stamp duties are not paid; and they shall have the printer or publisher's name thereon; on pain of 20*l.* *Ibid.*

By 12 *Geo.* 2. c. 36. the penalty of 5*l.* and double the value is inflicted on persons importing for sale, books first written and printed in this kingdom, and reprinted abroad, but books not printed or reprinted in this kingdom within twenty years are excepted.

This shall not extend to books printed in *England*, and inserted in other larger tracts printed abroad. *Ibid.*

This act by the last continuance of 22 *Geo.* 3. c. 13. will continue in force, till the year 1788.

By 15 *Geo.* 3. c. 53. the two universities in *England*, and four in *Scotland*, and the colleges of *Eaton*, *Westminster*, and *Winchester*, shall have the sole right, for ever, of printing books which have or (not having been published or assigned) shall be bequeathed, or otherwise given by authors to any of the said universities, unless given for a term of years, or other limited time; and others printing such books, forfeit the same with one penny *per sheet*, half to the king, and the other to the prosecutor: but this act shall not give an exclusive right, longer than such book is printed at the universities or college presses, and they are not to grant away their right; but may sell the copy as authors can by 8 *Ann.* c. 19.

None are subject to penalty for printing books already given to the universities, unless entered at Stationer's-hall before the 24<sup>th</sup> of *June* 1775, and if hereafter given they are to be entered in two months after bequest known, and sixpence shall be paid for each entry, which is to be inspected gratis, and sixpence for the certificate. The whole title of the book shall be entered. *Ibid.*

# **Brassiers and Pewterers.**

By 19 *Hen.* 7. c. 6. they are not to sell, or change brass or pewter, but in open fairs or markets, or in their own houses, on pain of 10*l.* and no person shall cast any pewter or brass, but as good fine metal as within the city of *London*, and by the statutes, upon pain of forfeiting the same; and using false weights shall forfeit 20*s.* searchers of brass and pewter are likewise to be appointed in every city and borough.

By 4 *Hen.* 8. c. 7. The mayor of *London*, and the master and wardens of the pewterers company there, and in other cities and towns the mayor and other chief officers, may search tin or pewter wares, and if found defective, the same are to be forfeited.

By 25 *Hen.* 8. c. 9. tin or pewter wares made out of the realm, shall not be bought or exchanged, on pain of forfeiture; and officers



are to search and make seizures. Pewterers shall not go beyond sea to teach their trade to aliens.

The 33 *Hen. 8. c. 4.* makes the last act perpetual, and inflicts a penalty of 5*l.* for resisting the search of brass, tin, or pewter.

Conveying out of the realm, brass, copper, bell-metal, pan-metal, gun metal, or shrof metal, whether mixed or clean (except tin and lead) to forfeit double value. *Ibid. 7.*

The 2 & 3 *Ed. 6. c. 37.* adds the penalty of 10*l.* for every thousand weight, besides the double value which is to be forfeited as above.

By 7 *Ann. c. 8.* *British* copper, and brass wire may be exported duty free.

## Bread.

By 31 *Geo. 2. c. 29.* the assize of bread shall be regulated by the price, the grain, meal or flour bears in the market, allowing sufficient profit to the baker.

Where an assize shall be set, no sort of bread (wheaten and household excepted) other than what is thereby allowed, is to be made for sale: under penalty of not more than 40*s.* nor less than 20*s.* and the assize shall be set according to the table annexed to the act. *Ibid.*

Return shall be made weekly to the court of mayor and aldermen of *London*, by the meal weighers, of the prices which the several kinds of grain, meal, and flour, fit for bread publicly sell for in the markets of the city; the prices to be entered by them on a certain day in a book to be kept in the town-clerk's office; and the assize and price of bread to be set the next day; and to take place according to order, and continue till a new assize be set; and to be published forthwith. Before any advance or reduction be made in the price of bread, the meal weighers are to leave at Baker's-hall a copy of the returns made that day, that the company may have time to object thereto, before the assize be set. *Ibid.*

The court of mayor and aldermen, and magistrates in other cities, towns, and boroughs, may in like manner cause returns to be made them of the prices, which the several sorts of grain, meal and flour, fit for bread, shall be publicly sold at in the markets, within their jurisdictions. The prices to be entered and certified in a proper book; and the assize and price of bread, to be set within two days after; and to take place, and continue (not more than seven days) and to be published, as the court, or magistrates shall direct. *Ibid.*

Two or more justices within their jurisdictions may set an assize of bread, and cause returns to be made by the clerks of the neighbouring markets of the price at which grain, meal and flour, shall be there sold; the returns to be made on a certain day, and to be entered and signed in a book to be kept for that purpose; the

the assize and price of bread to be set within two days after, and to continue (not more than fourteen days) and to commence and be published as shall be ordered. *Ibid.*

Bakers may see the returns, the day after the same shall be made, that they may have time to object to the advance or reduction to be made in the price of bread, before the assize be set, and bakers are not liable to pay fees on account of the assize of bread. *Ibid.*

Half peck and quartern loaves are to weigh, and be sold, in due proportion to the peck loaf. Magistrates shall direct how the assize of rye, barley, or mixed bread, when ordered to be made, shall be published. *Ibid.*

Where bread of a certain denomination and value shall be ordered, or allowed to be made, no bread of a different denomination is to be sold at the same time, upon pain of not more than 40s. nor less than 20s. *Ibid.*

The justices at a general or quarter sessions may fix the jurisdiction of any hundred or place within a certain district, so as the assize of bread set for the same may extend thereto. *Ibid.*

Entry shall be made by every clerk of the market in proper books, of the returns made by him, and of the rate, at which the assize and price of bread shall be set from time to time, the said books to be open to the inspection of any inhabitant. *Ibid.*

No alteration is to be made in assize of bread, unless the price of wheat, or other grain shall vary three-pence in the bushel from the last return. *Ibid.*

Any meal weigher, or clerk of the market who shall neglect his duty, or make a false return, and any peace officer who shall disobey the warrant of any magistrate, or justice, or otherwise neglect his duty, forfeit not more than 5*l.* nor less than 20*s.* *Ibid.*

Any buyer, seller, or dealer, who shall refuse to disclose to the meal weighers in *London*, or clerks of the markets, in other places the true prices, the several sorts of grain, meal and flour, shall be bought or sold at in the public markets, or shall give in a false price; forfeit not more than 10*l.* nor less than 40*s.* *Ibid.*

Where any false return shall be suspected to be made, the court, magistrate, or justice, may within three days summon any buyer, seller, or other person, likely to give information; and examine them upon oath, touching the prices of grain, meal, and flour, within seven days before, and any person not appearing thereto, or refusing to give evidence, forfeits not more than 10*l.* nor less than 40*s.* and forswearing himself, incurs the penalties of perjury, but the party summoned is not obliged to go above five miles from home. *Ibid.*

When an order shall be made for making bread for sale, of any other grain than wheat, or of mixed meal or flour, bakers shall conform to such order, and make the bread of such weight and goodness and at such price, as shall be therein directed, on pain of not more than 5*l.* nor less than 40*s.*

The several sorts of bread made for sale are to be always well made, and in their degrees; according to the goodness of the meal the same ought to be made of, without any adulteration or mixture, except the genuine meal, salt, water, eggs, milk; and yeast, or such leaven as shall be occasionally allowed; upon penalty of the offender (not being the servant) forfeiting not more than 10*l.* nor less than 40*s.* or being imprisoned not more than one month, nor less than ten days. If the offender be a servant he is to forfeit, not more than 5*l.* nor less than 20*s.* or be imprisoned for the like time; and the magistrate may, out of the money of the forfeiture, publish in some newspaper the offender's name, place of abode, and offence. *Ibid.*

The penalty for adulterating corn, meal or flour, whether at the time of the grinding, dressing, or bolting, or for selling the meal of one sort of corn for another sort; or any thing mixed which shall not be of the genuine meal of the grain the same is sold for: is not to exceed 5*l.* or be less than 40*s.* *Ibid.*

Where bread shall be of a different mixture of corn, than what it imported to be of, or is allowed, or where the mixture allowed of shall not be duly observed, or where any thing shall be sold as flour, which is not genuine, the penalty is the same as last mentioned. *Ibid.*

Where bread shall be made under weight, the offender forfeits not more than 5*s.* nor less than 1*s.* for every ounce deficient and if under one ounce, not more than 2*s.* 6*d.* nor less than 6*d.* provided such bread complained of, if in any city, town corporate or borough, be weighed before the justice, within twenty-four hours after the same shall be baked or sold; and if in any other place within three days of the baking or sale thereof; unless such deficiency arose by accident, or through some contrivance. *Ibid.*

Wheaten bread made for sale is to be marked W. and household H. in order to ascertain under what denomination it was made and ought to be weighed; upon penalty of not more than 20*s.* nor less than 5*s.* *Ibid.* and also 3 *Geo.* 3. c. 11.

Bakers demanding or taking more than the assize price, or refusing to sell any of the sorts allowed or ordered, when he has more than enough for the use of himself or customers, forfeit not more than forty nor less than 10*s.* *Ibid.*

Bread of an inferior quality to wheaten, is not to be sold for more than household, on penalty of 20*s.* *Ibid.* and also 3 *Geo.* 3. c. 11.

Magistrates and justices, or peace officers by them authorized, may in the day-time, enter the houses and shops of bakers, and search for and weigh the bread therein, and may seize such as shall be defective in goodness, due baking, or weight, or not properly marked, or of any different sort than is allowed of, and dispose thereof at their discretion. *Ibid.* and also 3 *Geo.* 3. c. 11.

Where any miller, mealman, or baker, shall be suspected of adulterating meal, the magistrate may, upon information on oath,  
enter



enter the premises of such suspected person himself, and make search, or may grant a search warrant to some peace officer, and such meal as shall be deemed to have been adulterated, may be seized together with the mixtures: if seized by a peace officer it is to be carried before a magistrate; if seized by the magistrate, or adjudged by him adulterated, he may dispose thereof as he thinks fit. *Ibid.*

The miller, mealman, or baker in whose premises such mixtures shall be found, shall forfeit not more than 10*l.* nor less than 40*s.* unless it be made appear that the same were not intended for adulteration, but for some other lawful purpose; and part of the forfeiture may be applied in publishing the offender's name, abode, and offence. *Ibid.*

Opposing any search or seizure incurs a penalty of not more than 5*l.* nor less than 20*s.* and no miller, mealman, or baker shall act as a justice under this act, on pain of 50*l.* to the informer. *Ibid.* and also 3 *Geo.* 3. c. 11.

Where any baker shall, on complaint, make it appear, that the offence wherewith he was charged, and paid the penalty of, arose from the wilful default of his servant, the magistrate shall cause the party to be apprehended, and on conviction, shall decree a recompence to the master, and on non-payment thereof shall commit the offender, for any time not exceeding one month, unless payment is sooner made. *Ibid.* and also 3 *Geo.* 3. c. 11.

Offences against this act, are to be determined in a summary way, before a magistrate, with appeal to sessions, and all prosecutions must be commenced within three days after the offence. *Ibid.*

This act is not to extend to any customs in *London*, the privilege of any lords of leet, or the rights of the dean and high steward of *Westminster*, or of the universities of *Oxford* or *Cambridge*. *Ibid.*

By 32 *Geo.* 2. c. 18. the unappropriated penalties and forfeitures under the above act, shall be distributed, one moiety to the prosecutor, where the offender shall be convicted by oath, or self confession; and the other moiety with the penalties on weighing, trying, or seizure of bread, by a magistrate, to such purposes as the magistrates shall think fit.

By 3 *Geo.* 3. c. 11. no assized bread, and prized bread shall be made at the same time in the same place, *viz.* no assize loaves of the price of three-pence and priced loaves called half quartern loaves, no twelve-penny loaves, and half peck loaves, nor assize loaves of eighteen-pence and priced loaves called peck; upon pain of forfeiting not more than 40*s.* nor less than 10*s.*

Justices at sessions, may appoint which of the sorts of assize or priced loaves, and what other sorts of bread, and of what grain shall be made for sale: they causing an entry to be made of such orders (which may be inspected) and a copy thereof shall be set up in some market or other public place, or published in the country newspapers. *Ibid.*

A like proportion, as to weight, is to be kept between the white and wheaten bread, and the wheaten and household assize bread,

bread, *viz.* wheaten assize loaves shall weigh three parts in four of the weight of household assize loaves, on pain of forfeiting not more than 40 s. *Ibid.*

A proportion in the price is to be kept in the peck loaf, and half peck, and it's other subdivisions, both in the wheaten, and the household bread, and the household bread is to be one fourth cheaper than the wheaten; on penalty not more than 40 s. nor less than 10 s. *Ibid.*

Bread not made of wheat, shall be marked with such letters as the justices shall order, and where they neglect to make such order, the maker is to mark every such loaf with two distinct letters on penalty of not more than 40 s. nor less than 5 s. for every unmarked loaf. *Ibid.*

By 13 Geo. 3. c. 62. standard wheaten bread shall weigh three fourths of the wheat whereof made, and be marked S. W. The peck loaf to weigh 17 pound 6 ounces avoirdupoise, and lesser loaves in proportion; seven standard loaves equal to eight wheaten, and six household.

Standard wheaten bread shall not be sold as priced loaves at the same time. Magistrates may whenever they think proper, set the price and assize of standard wheaten bread, according to the table to the act, and bakers are liable to the same penalties as for offences concerning wheaten or household bread by the laws in being. *Ibid.*

If a baker informed against for making, marking, baking, or selling standard wheaten bread, not the whole produce of the wheat, except bran, and weighing three-fourths of wheat, and shall prove that he bought the flour of miller or mealman, and discover his place of abode, the baker is to be acquitted, and the miller or mealman become subject to the penalties in 31 Geo. 2. c. 29. *Ibid.*

Where the magistrates have set the price of standard wheaten bread, they may omit other sorts, and justices at the sessions may prohibit for three months the making or selling other than standard wheaten bread on one month's public notice; but the bakers company of London may object to such prohibition; and penny and two-penny loaves may be sold as by 31 Geo. 2. and coarser bread subject to the same act, but if sold as priced bread, subject to the same penalties, and magistrates shall have all powers by any law in being, and the same privileges, but this act is not to extend to the custom of London or Westminster, or right of the universities of Oxford and Cambridge, and all laws concerning bread shall remain; in corporations where there are two bailiffs, one is to set the assize of bread. *Ibid.*

## Bricks and Tiles.

By 17 Ed. 4. c. 4. plain tiles, roof tiles, corner tiles, and gutter tiles shall be made good, and the earth whereof they shall be

be made, shall be digged and cast up before *November 1*, next before making, and turned before *February 1*. and not wrought till *March 1*, after.

The earth is not to be mixed with the marl, or chalk whereof they are made. Plain tiles to be  $10\frac{1}{2}$  inches long,  $6\frac{1}{2}$  inches broad; and  $\frac{1}{2}$  an inch and  $\frac{1}{4}$  a quarter thick, roof tile 13 inches long,  $\frac{3}{4}$  an inch and  $\frac{1}{4}$  a quarter thick, with convenient depth, gutter and cover tile  $10\frac{1}{2}$  inches long, with convenient thickness, breadth, and depth. *Ibid.*

Selling tiles contrary to the act, to forfeit to the buyer double value, and justices may determine offences, and assess on the offender for every 1000 plain tiles 5 s. for every 100 roof tiles 6 s. 8 d. and for every 100 corner or gutter tiles 2 s. *Ibid.*

The justices may appoint searchers, who are to have of the tile-maker for searching 1000 plain tiles 1 d. 100 roof tiles  $\frac{1}{2}$  and for 100 corner and gutter tiles  $\frac{1}{4}$ ; they are to present defaults, on pain of 10 s. *Ibid.*

By 17 Geo. 3. c. 42. all bricks made in *England* for sale shall be  $8\frac{1}{2}$  inches long  $2\frac{1}{2}$  inches thick, and 4 wide; and all pantiles  $13\frac{1}{2}$  inches long,  $9\frac{1}{2}$  inches wide, and  $\frac{1}{2}$  inch thick; on pain of forfeiting for bricks or tiles made of less dimensions when burnt, as follows, viz. 20 s. for every 1000 of bricks, and 10 s. for every 1000 of pantiles. *Ibid.*

Mashes of sieves, for screening sea-coal ashes, not to be more than a quarter of an inch asunder. *Ibid.*

All contracts for engrossing of bricks and tiles, or for hindering a free sale thereof, shall be void, and the maker shall forfeit 20 l. his clerk or agent 10 l. half to the poor, and the other to the informer. *Ibid.*

## Bridges.

By *Mag. Chart.* 9 Hen. 3. c. 15. no town or freeman shall be distrained to make bridges but such as have been accustomed.

By 22 Hen. 8. c. 5. Four justices of the peace may hear and determine annoyances of bridges; and charge such as ought to repair them; and when it cannot be known who ought to repair, the county, cities or town corporate where it lies shall be charged.

The justices may tax the inhabitants with the assent of the constables, and appoint two collectors, and two surveyors who shall repair the bridge, and the collectors and surveyors are to account to the justices. *Ibid.*

The justices may make process into every shire against offenders, where the bridge is in one county, and the persons who ought to repair in another, the sheriff is to execute the process, and the justices are to make allowances to the collectors and surveyors. *Ibid.*



## 60 Brokers and Stock-jobbers.

This act not to extend to the cinque ports. *Ibid.*

Three hundred feet in the highway from the ends of bridges, shall be repaired as often as necessary; for which purpose the justices are to act as above. *Ibid.*

By 1 *Ann. stat.* 1. c. 18. the quarter-sessions, upon presentment that a bridge is out of repair, may assess every town and parish; the money to be levied by the constables, and paid to the high constables, who are to remit it to the treasurers appointed by the justices. Persons refusing to collect or pay the money, forfeit 40s. treasurers paying money without order of sessions to forfeit 5*l.* collectors of the rate to be allowed three-pence in the pound; inhabitants deemed good witnesses and no certiorari to be allowed.

By 12 *Geo.* 2. c. 29. no money shall be expended in the repair of bridges without the presentment of the grand jury.

By 14 *Geo.* 2. c. 33. justices at their quarter-sessions may purchase an acre of land for the building or enlarging of county bridges.

## Brokers and Stock-jobbers.

By 10 *Ann.* c. 19. brokers taking above 2*s.* 6*d.* for brokage of stocks, shall forfeit 20*l.* with costs.

By 6 *Geo.* 1. c. 18. all undertakings tending to the prejudice of trade, and all subscriptions thereto, or presuming to act as corporate bodies without legal authority, and all acting under obsolete charters, shall be deemed illegal and void. All such undertakings are deemed public nuisances, and shall incur a *premiure*.

Merchants or traders may have an action to recover treble damages with costs against the undertakers, and brokers buying or selling any shares in such undertakings shall forfeit 500*l.* and be disabled.

This act not to extend to undertakings established before 1718, the two assurance companies thereby erected, or the *South-sea* company; nor to restrain the carrying on of any home or foreign trade in partnership. *Ibid.*

*South-sea* and *East-India* companies may advance money on bottomree to their captains or other servants. *Ibid.*

Not to extend to corporations formerly created, or to any subscriptions to be made to the capital of the *South-sea*, nor to the powers of the *East-India* company. *Ibid.*

By 7 *Geo.* 2. c. 8. all premiums to deliver, accept, or refuse any stock or share therein, shall be void, and the money returned, in default it may be recovered by action, with double costs; and persons entering into any such contract, shall forfeit 500*l.* the like penalty is inflicted on brokers, negotiating such contracts and also on persons who agree to sell, and are not actually possessed of, or entitled to stock; and in this case brokers transacting agreements knowingly, shall forfeit 100*l.*

Brokers

## Butlerage.

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Brokers are to keep a book called the broker's book, in which they shall enter all contracts and agreements, with the names of buyers and sellers, and day of making, to be produced when required, under 50*l.* penalty. *Ibid.*

No money shall be given to compound any difference, for not delivering stock, but the whole money agreed shall be paid, and the stock transferred, on pain of 100*l.* *Ibid.*

Persons liable to be sued on this act, shall be obliged to answer a bill in equity, brought for discovering such contract or wager, and the sum or premium given, the plaintiff giving security for answering costs. *Ibid.*

Stock sold to be delivered at a certain day, and not paid for at the time agreed may be sold to any others, and the buyer shall make good the damage. *Ibid.*

Such stock not being transferred at the time agreed, the buyer may purchase other stock, and recover his damage. *Ibid.*

This act is not to extend to contracts for stock pursuant to order of the court of chancery, nor to hinder persons from lending money on stocks or prevent the redelivering thereof, on payment of the money lent. *Ibid.*

## Burials.

By 30 *Car. 2. stat. 1. c. 3.* No corpse shall be buried in, or have a coffin lined with any thing but sheep's wool, on pain of 5*l.* the penalty to be levied by justices warrant, affidavits to be made of such burying in eight days, and a register book is to be kept by the minister, at the parish charge, wherein all burials are to be entered.

By 32 *Car. 2. c. 1.* where there is no justice, such affidavits may be made before the parson.

## Butchers.

A butcher convicted of selling unwholesome meat, for the first offence shall be amerced; for the second he shall be adjudged to the pillory. *Ordinance for bakers. c. 7.*

## Butlerage.

By 25 *Ed. 3. stat. 5. c. 21.* the king's butler shall take no more wine than appointed, on forfeiture of double damages, and by 43 *Ed. 3. c. 3.* he shall take his wine within ten days.

Butter

## Butter and Cheese.

By 9 *Hen. 6. c. 8.* a wey of cheese shall contain thirty-two cloves.  
By 13 & 14 *Car. 2. c. 26.* a kilderkin of butter shall contain 112*lb.* besides the cask; the firkin 56, and the pot 14. Corrupt butter shall not be mixed with good, on pain of forfeiting double the value, and six times the value of what is wanting. Repacking butter for sale, to forfeit double value.

By 32 *Car. 2. c. 2.* no butter or cheese shall be imported from Ireland.

By 4 & 5 *W. & M. c. 7.* sellers of butter and cheese shall not be liable to the penalty of 13 & 14 *Car. 2. c. 26.* after the buyer has bought and approved the same, the buyer setting his mark thereon. The seller changing it after bought, to forfeit 20*s.* each firkin. *Ibid.*

Warehouse keepers, skippers, or others refusing to receive and ship butter, to forfeit 10*s.* for every firkin of butter, and 5*s.* for every wey of cheese. Masters of ships not taking on board, half such penalties. *Ibid.*

## Cables and Cordage.

BY 6 *Ann. c. 19.* no drawback shall be allowed on exporting of foreign cordage, or cable yarn.

By 25 *Geo. 3. c. 56.* no person shall make or sell any cordage for shipping in which any hemp is used, called short chucking, half clean, whale line, or other toppings, codilla, or any damaged hemp, on pain of forfeiting the same, and also treble the value thereof.

Cables, hawfers, or ropes, made of materials not prohibited by this act, and whose quality shall be inferior to clean *Petersburgh* hemp, shall be deemed inferior cordage, and the same shall be distinguished by marking on the tally, *staple* or *inferior*. Manufacturers making default herein forfeit for every hundred weight of cordage 10*s.* *Ibid.*

Manufacturers are to affix their names and manufactory, to new cordage, before sold under the like forfeiture; and putting a false name is forfeiture of 20*l.* *Ibid.*

Persons making cables of old and overworn stuff, containing above seven inches in compass, shall forfeit four times the value. *Ibid.*

Vessels belonging to *British* subjects, having on board foreign made cordage, are to make entry thereof on entering into any *British* port, on penalty of 20*s.* for every hundred weight. But this is not to extend to cordage brought from the *East Indies*; nor to materials at present used by any vessels built abroad before this act. *Ibid.*

By 26 *Geo. 3. c. 85.* the 6 *Geo. 3. c. 45.* as far as relates to granting a bounty on exportation of *British* made cordage, shall be revived and continued for four years.

Which



## Cards and Dice.

63

Which bounty is 2 s. 4 d. per hundred weight, on *British* made cordage, from *British* hemp (except of *America*) exported, to be paid out of the duties on hemp imported, but not to extend to twice laid cordage. 6 *Geo.* 3. c. 45.

No bounty shall be paid for cordage made from *American* hemp, nor for any whatever under three tons weight. 26 *Geo.* 3.

Owner shall make oath that the cordage is really intended for exportation, and the master of the ship shall join in the bond to be given on the occasion. *Ibid.*

The bounty on exportation of cordage to foreign places (except the isle of *Man*) shall be continued. *Ibid.*

If vessels have not a sufficient quantity of cordage for their use, over the quantity shipped for exportation, the officers shall detain them. *Ibid.*

No cordage shall be exported without a certificate that it has been refused by the navy board: and persons passing entries without such certificate, shall forfeit 100 l. *Ibid.*

## Calendar.

By 24 *Geo.* 2. c. 23. the commencement of the year was regulated, and the calendar corrected, and settled according to the form specified in *the book of common prayer*.

By 25 *Geo.* 2. c. 30. the times for opening and inclosing grounds for common, and payment of rents, if the same depend on any moveable feast, are to be according to the new calendar.

## Cards and Dice.

By 10 *Ann.* c. 19. playing cards and dice shall not be imported.

By 9 *Ann.* c. 23. makers of cards and dice shall give notice at the stamp office, of the places where they make them, on forfeiture of 50 l. and shall permit the officers to take an account, on forfeiture of 10 l. and not to remove them till marked, on forfeiture thereof, and treble value.

No cards or dice to be sold or used in any gaming house, before marked, on penalty of 5 l. per pack, or pair. 10 *Ann.* c. 19.

Persons making cards, or dice, without notice, forfeit them and all materials, besides the former penalties, and removing the materials, forfeit double the duty. *Ibid.*

Ivory or bone used for any game, to be deemed dice. Officers may enter places where cards are made, or any public gaming house, to see that they are duly marked, on forfeiture of 10 l. *Ibid.*

Cards or dice may be removed without marking, on security given for exportation. *Ibid.*

By 5 *Geo.* 1. c. 19. prosecutions on bonds for exporting cards and dice are limited to be within two years.

By

By 6 *Geo. 1. c. 21.* persons tearing off the mark on playing cards, or new spotting any dice which have been sold, forfeit 10*l.*

Makers, when they enter their cards or dice shall give bond in a penal sum of treble the duties, to pay within six weeks, or for prompt payment they may have an allowance. *Ibid.*

On affidavit of any private place for making cards and dice, officers by warrant may break open doors. *Ibid.*

*For the duties, and further on this subject, see title Stamps.*

## Carriage.

By 3 & 4 *W. & M. c. 12.* the justices at the next quarter sessions after every *Easter* day, are to settle the rates of all land carriage of goods by any common carrier, who is to forfeit 5*l.* for taking above the rate.

By 21 *Geo. 2. c. 28.* if waggoners or carriers demand a greater price, for carriage to *London*, than what is allowed by the justices, from whence the goods are brought, they are to forfeit 5*l.*

Clerks of the peace in the country are to certify to the lord mayor of *London*, and the clerks of the peace for *Middlesex*, *Surry*, and *Westminster*, the rates for carriage every year. *Ibid.*

The waggoner or carrier's name and abode is to be written on the carriage, on pain of 20*s.* *Ibid.*

## Cattle.

By 3 & 4 *Ed. 6. c. 19.* no cattle shall be bought but in open fair or market, and they are not to be resold there alive, on forfeiture of the double value.

Any one may buy cattle out of a market, for his own use; and butchers may buy cattle out of a market, but shall not sell them again alive, on pain of forfeiting the same.

By 18 *Car. 2. c. 2.* perpetuated by 32 *Car. 2. c. 2.* the importation of cattle (except from the isle of *Man*) is declared to be a common nuisance, and they may be seized.

By 20 *Car. 2. c. 7.* any inhabitant may seize cattle imported; parishes neglecting to seize are to forfeit 100*l.* and the vessels are to be likewise seized.

By 22 *Car. 2. c. 13.* any person may transport horses, cows, swine, or oxen, paying the duties.

By 32 *Car. 2. c. 2.* *English* cattle intermixed with *Irish*, may be seized as *Irish*.

By 3 *W. & M. c. 8.* beef, hog's flesh, butter, cheese, or candies, may be exported to any parts in amity with the king, duty free.

## Certiorari.

By 21 *Jac.* 1. c. 8. no certiorari shall be allowed upon indictments of riot, forcible entry, assault and battery, before the party indicted has given security in 10*l.* to pay the costs.

By 5 & 6 *W. & M.* c. 11. no certiorari to remove any indictment of trespass or misdemeanor shall be granted in term time, but upon motion, and security from two, in 12*l.* each, given for trying the issue, at the next assizes, or if in *London* and *Westminster* at the next term.

If the indictment is found, the prosecutor of the certiorari is liable to costs. In vacation the certiorari may be granted by any of the judges of the king's bench on the like security, and in counties palatine, the parties are to find sureties, and if convicted pay like costs.

By 8 & 9 *Will.* 3. c. 33. the above act is made perpetual, and the party prosecuting any certiorari to remove an indictment may find two manupaptors to enter into a recognizance, with condition that the party shall appear daily in the king's bench court until discharged.

## Cessavit.

By 6 *Ed.* 1. c. 4. *cessavit* lies against the lessee, after two years arrears, and if he does not, before judgement, pay the same, he shall be barred. It lies also by 13 *Ed.* 1. *stat.* 1. c. 21. in like manner for withholding of services, and may be maintained by the heir of the lord, against the heir or assignes of the tenant.

## Chancery.

By 18 *Ed.* 3. *stat.* 5. an oath is appointed to be taken by the masters and cursitors, for the due execution of their office.

By 36 *Ed.* 3. c. 9. whosoever is grieved against these statutes, shall be relieved in chancery.

By 17 *Ric.* 2. c. 6. upon an untrue suggestion made in the chancery against any man, the chancellor may award damages.

By 15 *Hen.* 6. c. 4. no person shall sue forth a subpoena, until he find surety for the defendant's damages and costs, if he does not verify his bill.

By 14 & 15 *Hen.* 8. c. 8. the six clerks in the chancery may marry and hold their office.

By 5 *Eliz.* c. 18. the authority of a lord keeper shall be the same as of a lord chancellor.

By 13 *Car.* 2. *stat.* 1. the fees of the masters of chancery, at the public office, are appointed to be for oaths 1*s.* For costs taxed, for not putting in a bill, replying, or for not appearing, 2*s.* 6*d.*



for the acknowledgement of deeds to be enrolled, 2*s.* for every recognizance, 2*s.* for every exemplification, to the two masters examining the same, 1*s.* each, per skin; for every report or certificate, 20*s.* for the like, upon interlocutory matters, 10*s.*

By 1 *W. & M. stat.* 1. c. 21. the office of chancellor may be executed by commissioners, and one commissioner may hear motions, but not make decrees.

By 1 *Ann. stat.* 1. c. 30. *Jewish* parents refusing to allow their Protestant children proper maintenance, may be compelled by order of the lord chancellor,

By 4 *Ann. c.* 16. no subpoena or process shall issue out of the court of chancery, until a bill is filed, and a certificate thereof, except in injunctions to stay waste or suits at law; and on dismissing bills, the plaintiff shall pay full costs, and no abstract of the bill shall go with the commission for taking the answer, but in lieu thereof the sworn clerks in chancery, shall have a term fee of 3*s.* 4*d.* and the fees for all small writs made by them.

By 12 *Geo.* 1. c. 32. masters of the court of chancery were to account for money in their hands, and a new officer was appointed, called accountant general, who was to deliver the suitors money into the bank, and take out the same by order; forging his hand to any certificate is felony.

By 3 *Geo.* 2. c. 30. orders and decrees in chancery made by the master of the rolls are declared to be valid, according to the course of the court, and subject to reversal by the lord chancellor.

By 5 *Geo.* 2. c. 25. defendants in chancery not appearing, and absconding to avoid process, the plaintiff's bill, on order published in the gazette, and posted up in some public place, shall be taken *pro confesso*, and the court may issue a sequestration.

Where defendants, brought into court by process, refuse to enter their appearance, the court may cause their appearance to be entered and proceed accordingly; but such persons, if in custody, must be served with a copy of the decree. *Ibid.*

Persons out of the realm affected by such decree, if they return within seven years, are to be served with a copy, or in case of death the heir; and if such persons do not petition for a rehearing within six months, the decree is absolutely confirmed, and stands a bar to all claims. *Ibid.*

Defendants petitioning a rehearing within seven years, and giving security for costs, are admitted to answer, and the cause may be reheard; but if they do not appear and petition within that time, they are absolutely barred. *Ibid.*

This act does not affect persons beyond the seas, unless affidavit be made of their being in *England* within two years before the subpoena; nor does it extend to courts of a limited jurisdiction, unless oath be made of residence in such jurisdiction one year before the subpoena. *Ibid.*

By 12 *Geo.* 2. c. 24. the court of chancery was empowered to place out upon government securities 35,000*l.* part of the suitors' money, for answering the charges of the accountant general's office,

office, which sum or any part thereof, may be recalled in case of need.

By 23 Geo. 2. c. 25. the sum of 3,000*l.* is to be paid yearly to the clerk of the hanaper, out of the duties payable upon writs granted by 12 Geo. 1. (which duties are made perpetual.)

The said yearly sum is to be applied to the payment of the expences of the hanaper office, and also in payment of 1,200*l. per annum*, to the master of the rolls. *Ibid.*

By 1 Geo. 3. c. 1. his majesty is empowered to grant out of the revenue of the post office, 5,000*l. per annum*, to the lord chancellor.

By 4 Geo. 3. c. 32. the accountant general's third clerk's salary shall be 120*l.* out of the interest of the suitors money.

By 5 Geo. 3. c. 28. the court of chancery was empowered to place out 80,000*l.* more of the suitors money, to raise 200*l. per annum* for each master.

By 9 Geo. 3. c. 19. they were empowered to place out 20,000*l.* more, and to apply out of the interest, to the accountant general 250*l. per annum*; to his first clerk 50*l.* to his second clerk 40*l.* and to his fourth clerk 120*l.*

By 14 Geo. 3. c. 43. the further sum of 50,000*l.* was in like manner to be placed out, and out of the interest thereof, and the surplus interest by 12 Geo. 2. c. 24. 5 Geo. 3. c. 28. and 9 Geo. 3. c. 19. the chancellor was, by his order, to direct the rebuilding of the six clerks office, and apply 10,000*l.* for building the register's and accountant general's offices, which are to be vested in the accountant general and his successors.

If any part of the 50,000*l.* be wanted for the suitors, it may be ordered out of the general cash. *Ibid.*

By 15 Geo. 3. c. 22. part of *Lincoln's-inn* garden was vested in the accountant general, in trust for the purposes in the last act, as to the register's office, and the accountant general's, free from taxes (except what is now paid for those offices).

By 15 Geo. 3. c. 56. the lord chancellor may apply certain sums to be raised as mentioned in 14 Geo. 3. for the purposes of this and that act; the six clerks office to be built on part of *Lincoln's-inn* garden, and the same vested in the six clerks; after the new building shall be finished, the old, together with the ground, shall be sold, and the annual produce of the money arising by the sale thereof, is to be paid to the six clerks, in lieu of the chambers to which they were intitled in the old.

By 20 Geo. 3. c. 33. the court of chancery may direct the payment of the charges of passing this act, out of the funds herein before mentioned, and also a further sum of 3,000*l.* to answer the purposes of 14 Geo. 3.

## Charitable Uses.

By 43 Eliz. c. 4. commissions from the lord chancellor, or the chancellor of the duchy of *Lancaster*, may be awarded to enquire of

the gift of lands and goods to charitable uses, misemployed, and to reform them.

Not to extend to the universities, or to places where there are special visitors or governors, or to prejudice the jurisdiction of the ordinary. *Ibid.*

The orders of the commissioners are to be certified into the chancery. *Ibid.*

By 4 & 5 *Ann. c. 14.* the king's printer is to deliver out printed copies of briefs. One of the commissioners shall indorse his name on the copies; then they are to be sent to wardens of churches and chapels, preachers of separate congregations, and the like; the wardens and ministers are to indorse the time they receive them. Within two months the ministers are to read the briefs in the church or meeting, and the churchwardens are to collect money given.

The sums collected, place and time, shall be indorsed in words at length, and signed by the minister and churchwardens, who are to deliver to the undertakers of dispersing the brief, the brief and the monies collected, under the penalty of 20*l.* Undertakers not demanding the money and the brief in six months, are liable to the same penalty. The undertaker is to enter in a book the number of briefs, and if the whole number be not returned, he is to forfeit 50*l.* Undertakers are to account before a master in chancery. Persons agreeing to purchase the benefit of a brief are to forfeit 500*l.*

## Churches.

By 13 *Ed. 1. stat. 2. c. 6.* fairs and markets shall not be kept in churchyards.

By 35 *Ed. 1. stat. 2.* trees in churchyards shall not be cut down, unless for the repairs of the chancel, or of the church.

By 5 & 6 *Ed. 6. c. 4.* any person who shall, by words only, quarrel in any church or churchyard, may be suspended from entering the church by the ordinary; any person striking another there, shall be deemed excommunicate, and for striking there with a weapon, or attempting so to do, shall, on conviction, have one of his ears cut off, or be branded with the letter F on the cheek.

By 6 *Ann. c. 21.* statutes of cathedral and collegiate churches, founded by *Hen. 8.* used and practised since the restoration of *Car. 2.* shall be valid.

## Churchwardens.

By 9 *Geo. 3. c. 37.* churchwardens paying the poor otherwise than in lawful money, shall forfeit not less than 10*s.* nor more than 20*s.* to the poor.



## Citation.

By 23 *Hen.* 8. c. 9. no person shall be cited before a spiritual judge, out of the diocese where he dwells, except for a spiritual offence done there; and the fees for a citation shall be only 3*d.* But the archbishop may cite for heresy in any diocese within his province, upon neglect of the bishop.

## Clapboard.

By 35 *Eliz.* c. 11. two hundred of clapboards to make casks of three feet six inches in length, shall be brought into the realm, for every six tons of beer or fish exported, or else the casks. Wine casks are not to be exported, except for the king's use, upon pain of 40*s.* per tun; but herrings may be exported in casks. *Quæritur si in force?*

## Clergy.

By 3 *Ed.* 1. c. 2. clerks accused of felony, shall be delivered according to the privilege of holy church.

By 25 *Ed.* 3. stat. 3. c. 4. and c. 5. a clerk convicted of any treason or felonies, not touching the king, shall be delivered to the ordinary, and he shall be arraigned of all his offences at once.

By 4 *Hen.* 4. c. 2. the words *insidiatores viarum et depopulatores agrorum*, shall not be put in indictments to deprive clerks of their privilege.

By 4 *Hen.* 7. c. 13. persons not in orders shall be allowed clergy but once, and shall be burnt in the hand, and if any person in orders demand his clergy a second time, he shall produce his letters.

By 23 *Hen.* 8. c. 1. clergy is taken away from those not being in orders, that commit petty treason, murder, burglary or robbery in churches or dwelling-houses, or in highways, as well as for burning houses, or barns wherein corn shall be. And by 25 *Hen.* 8. c. 3. standing mute or peremptorily challenging above 20 jurors, they shall lose the benefit of clergy.

By 28 *Hen.* 8. c. 1. those who are in holy orders shall be subject to the same pains as others. Also 32 *Hen.* 8. c. 3.

By 34 & 35 *Hen.* 8. c. 14. clerks of the peace and assize, shall certify short transcripts of the convictions of felons, to the clerk of the crown in the king's bench, who shall receive the same without fee, on forfeiture of 40*s.* and also certify the names of the convicts to the justices of gaol delivery.

By 1 *Ed.* 6. c. 12. persons convicted of, or standing mute upon an indictment for, murder, poisoning, breaking any house by day or night, any person being therein and put in fear thereby; or for robbing on the highway; stealing of horses, or of goods out of a church, shall not have the benefit of clergy.

## Clerk of the Market.

But a lord of parliament shall have clergy for the first offence, without burning, and though he cannot read; murder and poisoning excepted. *Ibid.*

Persons intitled to their clergy may have the same, though divers times married. *Ibid.*

By 8 *Eliz. c. 4.* a clerk delivered to the ordinary may be arraigned for a former offence.

By 18 *Eliz. c. 7.* a clerk convict shall not be delivered to the ordinary, but after burning in the hand he shall be discharged, unless the justices think fit to detain him, not exceeding one year: and that is allowed his clergy shall answer to other felonies.

21 *Jac. 1. c. 6.* where clergy is allowed to a man, a woman shall be burned in the hand, and may be sent to the house of correction for not more than one year.

By 22 *Car. 2. c. 5.* persons convicted of stealing cloth from the rack or tenter, or of embezzling the king's stores, to the value of 20s. shall not have benefit of clergy; but the judge may mitigate the sentence to transportation for seven years.

By 3 & 4 *W. & M. c. 9.* women convicted of crimes for which men have their clergy, on prayer, may have the same punishment as men. But by 4 & 5 *W. & M. c. 2.* they are to be allowed benefit of clergy only once.

## Clerk of the Crown.

By 2 *Hen. 4. c. 10.* the clerk of the crown shall take but two shillings for entering the plea of several defendants, and for the *venire*.

## Clerk of the Market.

By 13 *Ric. 2. stat. 1. c. 4.* the clerk of the market of the king's house, shall do his office duly, and all false weights and measures shall be burned.

By 16 *Car. 1. c. 19.* there shall be but one weight, one measure, and one yard, according to the standard of the exchequer, throughout all the realm, as well in places privileged as without, every measure of corn shall be strike without heap, none to keep any other measure.

The clerk of the market shall execute his office only within the verge of the king's court, where it shall then reside for the time being; and lords of franchises may exercise their authority as clerks of the market. *Ibid.*

Clerks of market allowing other weights or measures than according to the standard of the exchequer, or refusing to allow such as are, forfeit 5 *l.* *Ibid.*

Taking or imposing unlawful fees, or fines, is a forfeiture of 5 *l.* for the first offence; 10 *l.* for the second, and 20 *l.* for every other.

## Clerk of the Signet.

By 27 *Hen. 8. c. 11.* the king's grants, before they pass the great seal, shall be brought to the principal secretary, or clerk of the signet.

The clerk of the signet in eight days after warrant signed by the king, unless notice to the contrary, shall make warrant to the privy seal who is to make like warrant, in eight days, to the great seal. *Ibid.*

No grants shall pass otherways, under any of the seals, on forfeiture of 10*l.* *Ibid.*

The clerk of the signet shall have his fees, according to the act, and if he takes more, the penalty is 10*l.* *Ibid.*

This act is not to prejudice the treasurer's warrants to the great seal, or leases under the duchy seal; the lord chancellor may use his discretion in passing or speeding things under the great seal, and with or without fees.

This act not to prejudice sealing of things touching the king's private affairs, or of the realm: and leases to the king's farmers of less than 6*l.* 13*s.* 4*d.*

Yearly rent may be passed without fees of signet, or privy seal. *Ibid.*

## Coals and Coal Trade.

By 9 *Hen. 5. stat. 1. c. 10.* keels that carry sea-coals at *Newcastle* from the land to the ships, shall first be measured and marked by the king's commissioners, on pain of forfeiture.

By 30 *Car. 2. c. 8.* commissioners are to be appointed by the king for measuring and marking of keels, boats, and carriages for coals in *Newcastle*, and carrying coals therein before measured and marked is a forfeiture thereof, together with the coals; removing or altering marks is a forfeiture of 10*l.*

By 6 & 7 *Will. 3. c. 10.* commissioners shall be appointed by the king for the admeasurement of keels in *Newcastle*, *Sunderland*, *Culler Coates*, *Seaton Sluice*, *Blyth Nook*, and all other places in *Northumberland* and *Durham*. Wains are to contain 17 cwt. and an half, and carts 8 cwt. and 3 quarters, and three wains, or six carts shall be reckoned at one chalders; three days notice is to be given of the time of admeasurement. Keels are to be marked between *Lady-day* and *Michaelmas*, to carry ten chalders only: and defacing the marks is 10*l.* penalty: the same also by 11 *Geo. 2. c. 15.*

There shall be allowed from the 15th of *April* till *January 1.* free from impressing, to the masters of colliers, two able seamen for every ship under 100 ton, and one more for every 50 ton more. Officers impressing such men are to forfeit to the master or owner 10*l.* *Ibid. c. 18.*



The 9 & 10 Will. 3. c. 13. imposed a certain temporary duty upon coals which is expired; but as the regulations for collecting that duty are continued, and adopted by the other acts which impose the duties upon coals, it is necessary to take notice of such regulations.

The commissioners of the customs are to manage the duties which must be paid before bulk broken, and before measured or weighed. Receipts are to be given gratis. Coals are to be entered at the custom-house where imported, and if unshipped before the duty is paid, the vessel and all the coals shall be forfeited. *Ibid.*

The commissioners may appoint meters and weighers of coals in the several ports, and masters or owners concealing coals are to forfeit for every ton concealed, 10*s.* over and above the duty; upon pain of having the vessel attached. *Ibid.*

The officers of the several ports are to enter a true account of all monies received and paid, and the number of chalders and tons.

Security is to be given to land coals at the places, for which they are exported, upon pain of forfeiting the ship, and coals, or the value thereof. 9 Ann. c. 1. and c. 23.

By 9 Ann. c. 28. made perpetual by 1 Geo. 1. c. 26. all contracts between coal owners, lightermen, fitters, masters, or owners of ships, crimps, coal factors, or other dealers, for engrossing coals, or hindering the free sale thereof, are declared void, and the persons keeping up such contracts are to forfeit as follows, *viz.* coal owners, 100*l.* fitters 50*l.* masters or owners of vessels, 20*l.* and every officer, clerk, agent, or servant, 20*l.*

The fitters certificates to the ship master, shall be registered at the coquet office in London, or with the keepers of coquets in other ports. Refusing to give such certificate, or not registering the same, is a forfeiture of 10*l.* *Ibid.*

Lightermen, masters of ships, crimps, coal factors, or other dealers receiving salaries from coal owners, fitters, or masters of ships are to forfeit 50*l.* *Ibid.*

Offender discovering offences, shall be indemnified, and receive such benefit as an informer under the act. *Ibid.*

The master of every ship, shall forfeit 50*l.* if above fifty coal ships continue in port seven days. *Ibid.*

Ship master paying over sea duties for coals, shall have the coast bond discharged. *Ibid.*

Loading coals at Newcastle, Sunderland, Seaton Sluice, or Blyth Nook in carriages not gauged and marked is 10*l.* penalty. *Ibid.*

The owners of coal mines shall not employ other men's servants, unless their wages are in arrear 14 days, upon pain of forfeiting for every six days employment 5*l.* *Ibid.*

The penalties are to go half to the crown, and half with costs to the informer. *Ibid.*

By 12 Ann. stat. 2. c. 17. the coal bushel shall contain one Winchester bushel, and one quart, and the chalders shall contain 36 such bushels heaped.

By 8 Geo. 1. c. 14. coals carried from *Ellen Foot* to *Bank End*, are not liable to the duties, if security be given to land them there.

By 13 Geo. 2. c. 21. persons dawning coal-pits, shall pay treble damages and costs, to the party grieved, if such coal-pits are not their own.

By 14 Geo. 2. c. 41. coals used in the tin works in *Cornwall*, shall be allowed a drawback of all the duties.

By 17 Geo. 2. c. 35. three justices may set the retail price on coals in any part of *England*, *Wales*, or in *Berwick upon Tweed*, allowing a competent profit to the retailers: and if the retailers refuse to sell as ordered, the justices may empower officers to enter, and with a constable to force into any wharf or warehouse, there to sell at the prices allowed. But no dealers are to act as justices in setting such prices.

By 22 Geo. 2. c. 37. no officer shall clear outwards any vessels, wherein coals were exported, until the customs due for the last voyage, be paid, or a certificate produced, on penalty of 100*l*.

A penalty of 5*s*. a chaldron is, by the same act inflicted, on masters of vessels wherein coals, were laden to be carried *coastwise*, proceeding with the same *beyond seas*.

By 31 Geo. 2. c. 15. and 13 Geo. 3. c. 70. culm may be exported to the city of *Lisbon*, until the 25th of *March* 1793, upon payment; of 1*s*. 6*d*. per chaldron duty; and the exporter giving security in treble value, to land the same at *Lisbon* only, and return a certificate thereof within twelve months. The ship and culm is otherwise to be forfeited. The duty to be managed as the coal duty.

By 6 Geo. 3. c. 40. coals may be exported from *Newcastle* to *Jersey* yearly 350 chaldrons, to *Guernsey* 1000 chaldrons, and to *Alderney* 110 chaldrons; and from *Swansea* to *Jersey* 150 chaldrons, to *Guernsey* 150 chaldrons, and to *Alderney* 110 chaldrons. (See the duties in the new book of rates, under title importation, &c. division, outwards.)

Officers at the ports of *Newcastle* and *Swansea* are to keep accounts thereof, and not permit any greater quantities to be loaded without paying extra duty, on penalty of 20*l*. *Ibid*.

By 15 Geo. 3. c. 27. the king may appoint commissioners for admeasuring and marking all keels, boats, waggons, carts, barrows, or coups, used for carrying coals, in order to be put on board of any vessel, in any part of the realm, in the same manner as he may by 6 & 7 Will. 3. c. 10. and 11 Geo. 2. c. 15.

The coal bushel shall be round with an even bottom, nineteen inches and an half from outside to outside, to contain one *Winchester* bushel and one quart of water, according to 13 Will. 3. c. 5. allowing 36 bushels heaped to a chaldron, and 20 hundred, at 112 pounds avoirdupoise per hundred, to the ton. *Ibid*.

The waggons, wains, carts, keels, and other carriages are to be numbered and marked on some visible part, denoting their burthen according to which, the king's duties are to be paid. *Ibid*.

The commissioners are to give three days notice to the owners of keels and other carriages, of the time and place of admeasurement;

ment; and after such notice, if any be used before measured and marked, they are to be forfeited. *Ibid.*

If any numbers or marks be removed or altered after admeasurement of keels, waggons, or other carriages, they shall be forfeited, and the owners or persons concerned, are to forfeit 10*l.* which may be levied by distress, or such persons may be committed till payment. *Ibid.*

Persons appointed to take an account of coals, culm, and the like, shipped, may enter and remain on any wharf or place, and every person obstructing such officers in their duty incur a penalty of 100*l.* *Ibid.*

Collectors of the customs are to keep accounts of the time and place where keels, boats, or other carriages are marked, and persons appointed to mark and measure the same, are to make oath before the collector for the faithful discharge of their duty. *Ibid.*

The forfeitures are to go half to the crown, and half to the officer who shall sue. *Ibid.*

By 25 *Geo. 3. c. 54.* collectors shall not clear coastwise, any vessel laden with coals, culm, or cinders, until the master shall deliver two proper certificates; one of which after being signed shall be returned to the master. Any fitter making default in delivering certificates shall forfeit 50*l.* Coals cleared coastwise and delivered beyond sea, before the duties on exportation be paid, and the owner, before he clears out again, shall pay those duties before due, and also 3*s.* per chaldron; upon proof of the vessel being forced from the coast into foreign parts by contrary winds, a certificate thereof shall be granted to the master that his coast bond may be discharged: entry and register of fitter's certificate shall be evidence.

By 26 *Geo. 3. c. 104.* drawbacks shall be allowed of all duties paid for coals used for smelting copper and lead ores in *Anglesea*; but the drawbacks are not to exceed 1500*l.* per ann.

*For the duties upon coals see the new rates under the title Importation &c. divisions, inwards, outwards and coastwise, and for some other regulations see title London. Division, coals.*

## Cochineal and Indico.

By 6 *Ann. c. 33.* made perpetual by 12 *Ann. stat. 1. c. 18.* and by 7 *Geo. 2. c. 18.* continued by 22 *Geo. 3.* until the year 1788. cochineal and indico may be imported in foreign ships in amity with Great Britain, or in British ships.



## Commissions and Commissioners.

By 42 *Ed. 3. c. 4.* in all inquiries, commissions shall be made to some of the justices of one of the benches, or of assize, or the peace, with others of the most worthy of the country.

By 4 *Hen. 4. c. 9.* the chancellor shall relieve commissioners that are distrained to return commissions which they never received.

By 7 *Hen. 4. c. 11.* the barons of the exchequer shall have power to discharge commissioners, on their oaths, of commissions which never came to their hands.

By 6 *Ann. c. 7.* no greater number of commissioners shall be appointed for any office than usual.

## Common.

By 28 *Geo. 2. c. 19.* persons convicted of setting fire to goss, furze or broom in chaces or forests shall forfeit not less than 40*s.* or more than 5*l.* to be levied by distress and sale.

## Common Fields.

By 13 *Geo. 3. c. 81.* three fourths in number and value of occupiers of common fields, with the consent of the owners, rector, impropiator, and tithe owner, on notice, may meet and make rules for cultivation, to continue six years.

Majority to choose field reeve to superintend fencing and cultivation, and the expences to be paid in proportion to the value of the land. *Ibid.*

Occupiers to fix the time of opening, but cottagers having the right of common not excluded, nor those having separate sheep-walks. *Ibid.*

May enjoy separately shares on the terms in the act, and alter the manner of depasturing. *Ibid.*

Husbands, guardians, trustees, committees, or known agents of feme coverts, minors, lunatics, or persons beyond sea, and tenants in tail, and by the curtesy, or for life, are enabled to sign agreements as owners or occupiers. *Ibid.*

Owners of tithes of common fields, letting them for six years, not to take fines, and the rent to be payable half yearly; but no agreement of occupier good, without the consent of the proprietor in writing. *Ibid.*

## Common Pleas.

By *Mag. Chart.* 9 *Hen. 3. c. 11.* the common pleas shall not follow the court, but be held in some place certain.

By 2 *Ed. 3. c. 11.* the common pleas shall not be removed without adjournment.

## Conditions.

By 32 *Hen. 8. c. 34.* grantees of reversions may take advantage of conditions, against the lessees of the same lands; and lessees may have like remedy against the grantees of the reversion as they might have had against the grantors.

By 21 *Jac. 1. c. 25.* no advantage of forfeiture shall be taken against the king's grantee, for non-payment of rent, so the same be answered to the exchequer, before process issued, touching the said forfeiture.

## Conjuratton.

By 9 *Geo. 2. c. 5.* persons pretending to use witchcraft, tell fortunes, or discover where goods stolen or lost may be found, are to be imprisoned for a year, stand on the pillory once in every quarter of such year, and likewise find sureties for their good behaviour.

## Consimili Casu.

By 13 *Ed. 1. stat. 1. c. 24.* where a writ is found in one case, and none in another requiring like remedy, the clerks of the chancery may agree on a writ, or adjourn the plaintiffs untill the next parliament.

## Conspirators.

By 28 *Ed. 1. stat. 3. c. 10.* the justices of assize shall inquire of and punish conspirators, informers and evil procurers of inquests, assizes and juries.

By 33 *Ed. 1. stat. 2.* conspirators are such as by oath, covenant or other alliance, aid each other in false indictment, maintenance of quarrels or the like.

By 7 *Hen. 5. stat. 1.* made perpetual by 18 *Hen. 6. c. 12.* persons indicting others, without alledging the place where the offence was committed, shall render damages to the party injured, by writ of conspiracy.

Constable

## Constable and Marshal of England.

By 8 *Ric. 2. c. 5.* pleas and suits which ought to be discussed at the common law, shall not be drawn or held before the constable and marshal.

By 13 *Ric. 2. stat. 1. c. 2.* to the constable pertains cognizance touching deeds of arms and of war out of the realm, and of things that touch war within the realm, which cannot be determined by the common law, with other matters to the same pertaining, and where they hold plea of any thing determinable by the common law, a *superfedeas* under the privy seal, shall issue to restrain such proceedings.

## Constables.

By 6 *Ann. c. 31.* constables and beadles shall repair immediately upon notice to the place, where any fire shall happen, and give their utmost assistance.

By 11 *Geo. 2. c. 26.* constables neglecting to assist in executing the acts against retailing spirituous liquors without licence, shall forfeit 20*l.*

By 19 *Geo. 2. c. 21.* constables wilfully neglecting to execute the act against profane swearing, shall forfeit 40*s.*

By 24 *Geo. 2. c. 44.* no action shall be brought against any constable, acting in obedience to a justice's warrant, until demand made of the copy.

By 25 *Geo. 2. c. 36.* constable on receiving notice from two inhabitants of any person keeping a disorderly house, shall go with them before a justice, and enter into recognizances to prosecute, and neglecting his duty therein forfeits 20*l.*

By 18 *Geo. 3. c. 19.* constables every three months shall deliver to the overseers of the poor, an account of their expences for the parish, to be settled in 14 days, and paid if approved by the parish, if not to be settled by a justice, with an appeal to the next general or quarter sessions, who may give costs.

In corporations or liberties, not having four justices, appeal may be to the next general or quarter sessions of the county. *Ibid.*

## Convocation.

By 8 *Hen. 6. c. 1.* the clergy coming to the convocation, shall have such liberties as they who come to the parliament.

By 25 *Hen. 8. c. 19.* the convocation shall always be assembled by the king's writ, and shall not make, promulge, or execute any canons, without the king's licence.



## Consuſance of Pleas.

By 8 *Hen. 4. c. 5.* lords of ancient demefne, mayors, bailiffs or the like ſhall not loſe their conuſance by being named diſſeifors in the writ.

By 8 *Hen. 6. c. 26.* they ſhall not loſe their conuſance by defendants making default by colluſion.

## Coopers.

By 23 *Hen. 8. c. 4.* no brewer of ale or beer to ſell, ſhall uſe the myſtery of a cooper, nor make any barrels, upon pain of 3 *s. 4 d. per barrel.* Veſſels for ale and beer ſhall be made of reaſonable wood, and marked, and the beer barrel ſhall contain 36 gallons, the kilderkin 18, and a firkin 9; the ale barrel 32 gallons, the kilderkin 16, and the firkin 8. *Ibid.*

The price of barrels, kilderkins, and firkins ſhall not be enhanced on pain of 3 *s. 4 d. per veſſel*, the owners of veſſels not of full contents ſhall forfeit the ſame and 12 *d.* *Ibid.*

The mayors, and chief officers of other towns may ſearch in the ſame manner as the wardens of coopers in *London.* *Ibid.*

A beer brewer may keep a cooper to hoop and mend his barrels. Any perſon diminifhing veſſels ſhall forfeit 3 *s. 4 d. per barrel*, and any cooper making veſſels under the aſſiſe, ſhall forfeit the like ſum. *Ibid.*

By 8 *Eliz. c. 9.* juſtices, mayors, and other chief officers ſhall ſet the price of veſſels, and coopers ſelling at other rates, are to forfeit 3 *s. 4 d. per veſſel.*

## Coppyholds.

By 9 *Geo. 1. c. 29.* Feme coverts and infants may be admitted to copyhold eſtates by their attorney or guardian, and in default of their appearance the lord may appoint a guardian.

Fines of feme coverts and infants may be demanded by the lord's bailiff, and if not paid, the lord may enter and receive the profits until he is ſatiſfied, and then ſhall deliver up poſſeſſion. *Ibid.*

Guardians or huſbands paying fines may reimburse themſelves out of the rents. *Ibid.*

No forfeiture ſhall be incurred by infants or feme coverts for not appearing or reſuſing to pay fines, or controverting the legality of fines not warranted by the cuſtom. *Ibid.*

By 21 *Geo. 2. c. 14.* no perſon who holds by copy of court roll ſhall be intituled thereby to vote for knights of the ſhire, the vote of ſuch perſon ſhall be void and he ſhall forfeit 50 *l.*

## Cordwainers.

By 5 & 6 Ed. 6. c. 15. tanned leather shall not be bought or engrossed to sell again, but by cordwainers, sadlers, girdlers and other artificers, who may sell their necks, wombs, and shreds; but persons having licence to transport tanned leather, may buy so much as they are allowed to transport.

By 1 Mar. Sess. 3. c. 8. curriers, shoemakers, girdlers, sadlers, budget makers and all other artificers may buy leather, but not convey the same beyond sea. Curriers are not to curry hides for shoe-makers between *St. James's day*, and *Mar. 25*, unless the same have been twice dipped in the pan, upon pain of forfeiting the same; leather is to be curried within five days in summer, and within ten days in winter, upon pain of 10*s.* per hide; but this does not bind the currier to dress any leather which he cannot.

*Repealed, and 5 Ed. 6. c. 15. revived by 1 Eliz. c. 8. which is repealed by 5 Eliz. c. 8. and 1 Jac. 1. c. 22. Quere? therefore which is in force.*

By 1 Jac. 1. c. 22. extended by 24 Geo. 3. c. 19. to every part of Great Britain: no butcher shall gash or cut any hide, upon pain of twenty-pence per hide; and he shall not water any hide, except in *June, July, and August*, or sell any one that is rotten, on pain of 3*s.* 4*d.*

No butcher shall be a tanner: nor shall any other person be a tanner except apprentices or hired servants in that mystery by the space of seven years, or the son or daughter of a tanner. *Ibid.*

No tanner shall be a shoemaker, currier, butcher, or other leather cutter. No person shall buy rough hides, or calves skins, but such as may use tanning of leather, nor forestal, nor buy any hide, other than in open fair or market, unless such person as killed the same beast. *Ibid.*

None may buy tanned leather unwrought but such as work the same into *made wares*, which persons may buy the same at *Leadenhall* in *London*. *Ibid.*

Sadlers and girdlers may sell their necks and shreds. *Ibid.*

No persons shall let any hide be over-limed, or put the same into tan fats before the lime be well fokened; they shall use in tanning only ash bark, oak bark, tap wort, malt, meal, lime, culver dung or hen dung; leather shall not lie, wet in any frost, until frozen; it shall not be parched by fire or summer sun; sole leathers shall lie in the woozes a year, upper leathers nine months, rotten hides are not to be tanned, hides are to be well worked in the woozes, and no leather, worked contrary hereto, shall be sold. *Ibid.*

Tanners are not to raise with any mixtures any hide, to be converted into sole leather, unless the same be fit. *Ibid.*

Sale of tanned leather, red, and unwrought, except in markets is a forfeiture thereof, and also 6*s.* 8*d.* per hide, and 3*s.* 4*d.* for every dozen of calves skins, or sheep skins. *Ibid.*

Leather

Leather not sufficiently tanned or dried shall not be exposed to sale. *Ibid.*

Leather shall not be put, to take unkind heat, upon pain to forfeit 10*l.* and stand in the pillory three market days. *Ibid.*

There shall be no regrating or ingrossing of oaken bark; and oaken trees to be barked, shall not be felled, but between the first day of *April* and the last day of *June*. *Ibid.*

Persons shall curry leather only in their own houses, they shall not curry leather, except it be well tanned, nor any hide, which is not dry after their wet season, when they shall not use any stale or false stuff. They shall curry outter sole leather with hard tallow only, and with as much of that as it will take, upper leather with fresh stuff, and thoroughly liquored; they shall not burn or scald any hide or leather in currying, nor shave any leather too thin, nor gash or hurt any leather upon pain of forfeiting 6*s.* 8*d.* and the value of every skin or hide, and for gashing double the sum injured. *Ibid.*

A currier shall not be a tanner, shoemaker, butcher, or leather cutter, upon pain of 6*s.* 8*d.* per hide. Curriers shall curry leather brought to them by the cutter, if he brings stuff for liquoring the same, within eight days, in summer, and sixteen in winter; upon pain of 10*s.* per hide. *Ibid.*

Curried leather shall be searched and sealed, by the wardens of the curriers, or the persons by them appointed, upon pain of 6*s.* 8*d.* per hide. *Ibid.*

No shoemaker shall make any shoes, boots, or the like, but of leather well and truly tanned and curried, and sewed with good thread well waxed and rofined, and the stiches hard drawn, with hand leathers, nor shall he put in any leather made of a sheep skin, bull hide or horse hide, or sell any wares on a Sunday. *Ibid.*

The mayors, bailiffs and other head officers, in places out of *London*, shall yearly upon pain of 40*l.* half to the crown and half to the informer appoint eight persons to search and seal all tanned leather, which, if insufficient, is to be seized. *Ibid.*

They are also within six days after such seizure, to appoint six indifferent persons, to try and determine the goodness of such leather, upon pain of 5*l.* *Ibid.*

The forfeiture of a sealer or searcher neglecting to do his duty is 40*s.* taking of bribes 20*l.* and refusing to act 10*l.* *Ibid.*

No person shall buy any leather before it is searched, sealed, and registered, upon pain of forfeiting the same. *Ibid.*

Forfeited wares shall not be sold to him that will sell them again; upon pain of 3*s.* 4*d.* per parcel. *Ibid.*

The authority of the officers of *Oxford* and *Cambridge* for search of leather is saved. *Ibid.*

The hides of ox, deer, calf, steer, cow, bull, goats and sheep being tanned and tawed, and every salt hide, shall be deemed leather. *Ibid.*



Dry cutting and frizing of leather shall be construed currying after the *Spanish* manner, and all artificers, except shoemakers, may use the same. *Ibid.*

This act shall extend to *Wales* to all intents and purposes. *Ibid.*

Customers or other officers suffering leather to be exported without seizing, or disclosing it, forfeit for the first offence 100*l.* for the second their office. Making a false certificate of the arrival of leather, is a forfeiture of 100*l.* *Ibid.*

This act shall not extend to *Scottish* hides brought to *Berwick*. Licences to dispense with the offences hereby prohibited, shall be void. *Ibid.*

By 4 *Jac.* 1. c. 6. there shall be no penalty for housing or selling sheep skins, unsealed; and no tanned leather shall be sold by weight.

By 1 *Will. & Mar.* c. 33. red tanned leather duly sealed and searched, and bought in an open fair or market, may be sold again in the buyer's shop.

Leather, hides, and skins may be bought and sold by weight, notwithstanding any act to the contrary. *Ibid.*

By 12 *Geo.* 2. c. 25. all persons who deal in leather may buy all sorts of tanned leather, curried or uncurried, in any open fair or market, being duly sealed, and may cut and sell the same in their open shops, in any quantities.

But this does not licence any persons unqualified, to exercise the trade of a shoemaker or cobbler. *Ibid.*

Carriers neglecting to curry any leather within sixteen days, between 28th of *September* and 25th of *March* and within eight days during the remainder of the year, shall forfeit 5*l.* on conviction before a magistrate. *Ibid.*

## Corn and Grain.

By 1 *Jac.* 2. c. 19. made perpetual by 3 *Geo.* 1. c. 7. justices of peace for counties, where foreign corn may be imported, may determine the common market price of corn, and send a certificate thereof to the collector of the customs, to be hung up in the custom-house.

“ The counties of *Kent* and *Essex* are not included in this act, nor  
“ in 5 *Geo.* 2. c. 12. as other regulations are made by 21 *Geo.* 3.  
“ c. 50. relative to the importation and exportation of corn within  
“ those counties; which act is abridged under the title *LONDON* in  
“ the subdivision *Corn.*”

By 5 *Ann.* c. 29. the bounty on oatmeal and beer, *alias* bigg, exported from *Scotland*, is extended to the like exportation from *England*, *Wales*, or *Berwick upon Tweed*.

By 2 *Geo.* 2. c. 18. on importation of foreign corn, if the justices have omitted to certify the price, the collector of the customs shall receive the duty according to the lowest rates.

Where a bounty is payable on exportation, the officers of the customs may measure the corn. *Ibid.*

By 5 *Geo. 2. c. 12.* the grand jury for counties upon the coasts in *England, Wales,* and for *Berwick*, at the quarter sessions, shall make a presentment of the market prices of corn, which shall be certified to the custom-houses, and the duties on foreign corn imported, shall be paid accordingly.

No foreign corn shall be carried to any other *English* haven, after importation, upon pain of forfeiting 20 s. per bushel, and also the ship, and all the corn. *Ibid.*

By 11 *Geo. 2. c. 22.* persons using violence to hinder the buying or carrying corn, on conviction, shall be imprisoned three months, and not less than one month, within which time they are to be publicly whipped.

By 24 *Geo. 2. c. 36.* and 26 *Geo. 3. c. 53.* the same bounty shall be allowed on the exportation of 224 lb. of wheat meal, and other ground corn, as on four bushels of wheat, or other corn unground, the officer may weigh two sacks out of twenty to compute the weight, and the bounty shall be paid to the exporter.

By 10 *Geo. 3. c. 39.* the justices at the *Michaelmas* sessions are to order weekly returns to be made of the prices of wheat, rye, barley, oats, beans, and bigg, from not less than two, or more than six markets; and to appoint a person to make such returns: on his neglect two justices may appoint another to act till the next general or quarter sessions.

Justices neglecting to appoint a person to make the return, the treasury shall appoint one. The treasury shall appoint a person to receive such returns there, who shall enter the same in a book, and publish them, or abstracts thereof weekly, in the *London Gazette*; and likewise four times a year, certify to the clerks of the peace, and to the court of mayor and aldermen in *London*, the returns made. *Ibid.*

The persons appointed by the treasury shall be exempt from postage; and persons making returns to the treasury shall be paid for their care and trouble after the rate of 2 s. for each return, to be paid quarterly out of the county rates. Duplicates of which returns are to be laid before the justices four times a year. *Ibid.*

A standard *Winchester* bushel of eight gallons shall be kept in every market, from which the returns shall be made. *Ibid.*

An account of the quantities of corn exported and imported, and of bounties and duties paid and received, shall be sent annually by the commissioners of customs in *England* and *Scotland* to the treasury. *Ibid.*

This act was to continue in force for seven years, the 17 *Geo. 3. c. 44.* continued it for seven years further, and from thence to the end of the then next session of parliament, and the 26 *Geo. 3. c. 53.* continued it for seven years more.

By 13 *Geo. 3. c. 43.* if any wheat, wheat flour, rye, pease, beans, barley, beer, bigg, or oats, shall be imported into *Bristol, Berwick, Beaumaris, Dover, Exeter, Falmouth, Harwich, Hull, London,*

*London, Lynn, Lancaster, Liverpool, Milford, Newcastle, Newhaven, Pool, Southampton, Stockton, Whitehaven, Yarmouth, Air, Leith, Glasgow, Aberdeen, or Kirkwall, (or into Portsmouth, Sandwich, Chichester, or Chester ; 18 Geo. 3. c. 26.)* at any time when the duties (*See the new rates under title Importation and Exportation*) shall be payable, the same may be landed free of duties, if entered and secured under the joint locks of the king and the importer, in a warehouse at his expence. Such corn or flour shall not be delivered out till payment of the duties, by the stricken bushel. If delivered out for exportation, the exporter shall enter into bond, not to re-land in *Great Britain, Ireland, Guernsey, Jersey, Alderney, Sark or Man, or the Faro Isles.* But this shall not extend to corn imported from *Ireland.*

The penalty on re-landing corn, grain, or flour, so delivered, is a forfeiture thereof ; and also of the ship, horse, cart, or other carriage containing the same, together with the penalty in the bond. Persons assisting herein are to forfeit treble the value. *Ibid.*

Corn of the undermentioned species shall not be transported, *viz.* *British* wheat, when at 44 *s.* per quarter ; *British* rye, pease, or beans, when at 28 *s.* per quarter ; *British* barley, beer, or bigg, when at 22 *s.* per quarter ; *British* oats, when at 14 *s.* per quarter ; under penalty of forfeiting the said commodities, and 20 *s.* for every bushel of the grain aforesaid ; with the ship, vessel, or boat, in which they are laden. But this is not to extend to the sustenance of ships of war, nor to vessels carrying the same coastwise. *Ibid.*

The following quantities of corn and grain may in one year be exported from the ports undermentioned.

From <i>London</i>	{	To <i>Gibraltar,</i>	{ Any quantity of wheat, meal, flour, rye, barley, or malt, not more than 2500 quarters in the whole.
		To <i>Minorca,</i>	{ Not more than 3500 quarters in the whole.
		To <i>St. Helena,</i>	{ Not more than 500 quarters in the whole.
From <i>Southampton</i>	{	To the islands of <i>Guernsey</i> and <i>Jersey,</i>	{ Not more than 5000 quarters in the whole to both places.
From <i>Whitehaven</i> and <i>Liverpool</i>	{	To the Isle of <i>Man,</i>	{ Not more than 2500 quarters in the whole, half to go from <i>Whitehaven,</i> and half from <i>Liverpool.</i>

Security is to be taken from the exporters without fee or reward ; the penalty on making a false certificate is 200*l.* *Ibid.*

Beans may be exported to *Africa* ; and the act does not prohibit the exportation of corn and grain to *Ireland.* *Ibid.*

The former bounties on exporting grain are to determine and cease, and the following take place, *viz.* When the price of middling *British* wheat is under 44 *s.* per quarter, the bounty is 5 *s.* per quarter ; and 5 *s.* for every quarter of malt made thereof. When rye is under 28 *s.* a quarter, the bounty is 3*s.* When barley or bigg is under 22 *s.* a quarter, the bounty is 2*s.* 6*d.* and 2*s.* 6*d.* for every



every quarter of malt made thereof. Which oats are under 14 s. per quarter, the bounty is 2 s. and 2 s. 6 d. per quarter for oatmeal. *Ibid.*

But this does not prohibit persons who shall have entered the above articles, when the prices shall be under the rates mentioned, from exporting the same. *Ibid.*

Any corn for which duty has been paid, if again exported within six months, the duty shall be drawn back and repaid. *Ibid.*

By 14 Geo. 3. c. 5. wheat, meal, flour, bread, biscuit, and starch, not more than 2000 quarters in one year from the port of London only, and all sorts of grain from other ports in Great Britain, may be exported to the British sugar colonies in America in any one year; the exporter declaring the colony to which such commodities are consigned before the shipping, and giving security to land in no other place: but when the said articles may, by 13 Geo. 3. be exported, no such security shall be required.

Nothing in 13 Geo. 3. shall extend to prohibit any quantity of wheat meal, flour, or the like, being exported from Southampton to Jersey and Guernsey. *Ibid.*

Such commodities may be shipped from Guernsey, Jersey, or Alderney, to any British plantation, where the fishery is carried on. *Ibid.*

Four hundred-weight of meal, and three hundred weight of flour, bread, biscuit, or starch, shall be deemed one quarter. *Ibid.*

There may be exported from the following places to Newfoundland, in any one year, notwithstanding 13 Geo. 3. the following articles, viz. from Bristol, Dartmouth, and the port of Exeter, each 150 tons of biscuit, and 300 quarters of pease, and from Poole 250 tons of biscuit, and 700 quarters of pease. *Ibid.* c. 11.

Security as above is to be taken from the exporter, except when the exportation is permitted, and then the usual bounty is allowed. *Ibid.*

Not more than 200 quarters of wheat, meal, or flour in one year from the port of London; and oats, oatmeal, groats, barley, pease, beans, malt, and biscuit, of each 260 quarters may be exported to Hudson's Bay. *Ibid.* c. 26.

The price of corn and grain shall be regulated by the average prices thereof at the public market nearest to the port of exportation, according to which prices the bounties are to be paid. *Ibid.* c. 64.

Nothing herein contained shall prohibit the exportation of corn or grain, if shipped, within twenty days from the entry thereof. *Ibid.*

By 16 Geo. 3. c. 37. continued by 27 Geo. 3. c. 56. till May 1, 1788, certain quantities of biscuit, flour, and pease, may be exported to Newfoundland and the British fishery there, from the ports herein after mentioned, every year.

From London	To Newfoundland, 400 quarters of wheat flour, 250 tons of biscuit, and 200 quarters of pease.
	To Nova Scotia, Bay Chaleur, and Labrador, each 200 tons of biscuit, to the two last places 200 quarters of pease each, and to Nova Scotia 300 quarters;

quarters; to *Nova Scotia* 300 quarters of wheat flour; to *Bay Chaleur* 500 quarters; and to *Labrador* 200 quarters.

From *Bristol* To *Newfoundland*, 300 tons of biscuit, 200 quarters of pease, and 300 quarters of wheat flour.

To *Nova Scotia*, 200 quarters of wheat flour, 200 tons of biscuit, and 200 quarters of pease, and to *Bay Chaleur* and *Labrador* each 150 tons of biscuit, 200 quarters of pease and 200 quarters of wheat flour.

From *Poole* To *Newfoundland*, 2500 quarters of wheat flour, 1100 tons of biscuit, and 1000 quarters of pease.

To *Nova Scotia*, *Bay Chaleur*, and *Labrador*, 100 tons of biscuit, and 100 quarters of pease each, to *Bay Chaleur* 300 quarters of wheat flour, and to *Nova Scotia*, and *Labrador* 200 quarters each.

From *Dartmouth* To *Newfoundland*, 500 tons of biscuit, 500 quarters of pease, and 1500 quarters of wheat flour.

To *Nova Scotia* and *Bay Chaleur*, 300 quarters of wheat flour each, and to *Labrador* 350 quarters; to *Nova Scotia*, *Bay Chaleur*, and *Labrador*, 150 quarters of pease each; to *Bay Chaleur* 200 tons of biscuit, and to *Nova Scotia* and *Labrador*, each 150 tons.

From *Exeter* To *Newfoundland*, 500 tons of biscuit, 600 quarters of pease, and 1500 quarters of wheat flour.

To *Nova Scotia*, *Bay Chaleur*, and *Labrador*, each 300 quarters of wheat flour, 200 tons of biscuit, and 200 quarters of pease.

From *Barnstaple* To *Newfoundland*, 400 quarters of wheat flour, 150 tons of biscuit, and 150 quarters of pease.

From *Liverpool* To *Newfoundland*, 300 quarters of wheat flour, 150 tons of biscuit, and 130 quarters of pease; from *Weymouth* to the same place 200 quarters of wheat flour, 60 tons of biscuit, and 120 quarters of pease; and from *Chester* 300 quarters of wheat flour, 100 tons of biscuit, and 120 quarters of pease.

The *East India* company may export annually 1000 quarters of wheat meal, flour, rye, barley, or malt from *Great Britain* to *Saint Helena*, *Bencoolen*, and their other settlements. *Ibid.*

The above articles to be subject to the like securities, on exportation, as directed by 14 Geo. 3. *Ibid.*

By 16 Geo. 3. c. 42. the 13 Geo. 3. shall extend to the port of *Preston* with respect to importing wheat, rye, pease, beans, barley, beer, bigg or oats.

By 19 Geo. 3. c. 29. wheat, wheat flour, and the other articles last mentioned may be imported at *Cowes* in the *Isle of Wight* duty free, subject to the regulations contained in 13 Geo. 3.

## Coroners.

By 3 *Ed. 1. c. 9. & c. 10.* a coroner, sheriff, or the like, concealing felonies for any reward, shall be fined, and suffer one year's imprisonment; and coroners are to be sufficient men in the county; and to take nothing for executing their offices.

By 4 *Ed. 1. stat. 2.* coroners are to enquire upon the oaths of five or six men, if they knew where the person was slain, in what manner, and who present; and persons found culpable are to be committed to gaol; also whether the deceased was known, and where he lay the night before; and if any appear guilty of the murder, to enquire what goods and lands he has, and then the dead body is to be buried. They are also to enquire of persons drowned, or suddenly dead, and examine the body whether there be any signs of strangling about the neck, or of cords about the privities. Coroners are likewise to enquire of treasure trove, of persons riotously living, of deodands, wreck, and the like, and to take sureties or imprison the parties, and levy hue and cry.

By 28 *Ed. 3. c. 6.* the coroner shall be chosen by the commons in full county, saving the franchises of the king and other lords.

By 3 *Hen. 7. c. 1.* a coroner shall execute his office according to law, shall enquire of persons slain, and the abettors. A murderer indicted shall be arraigned presently; his fees upon the view of a body slain are 13 *s. 4 d.* out of the goods of the murderer, or out of amercement of the vill for the escape, if he be gone; and a coroner being remiss in his duty, shall forfeit 5 *l.*

By 1 *Hen. 8. c. 7.* where any person is slain, drowned, or dead by misadventure, the coroner shall view the body, without any fees, on penalty of 40 *s.*

Justices of assize and peace shall enquire and determine such default of the coroners. *Ibid.*

By 25 *Geo. 2. c. 29.* the coroner shall be paid 20 *s.* for every inquisition taken in any township contributing to the county rates, (except on bodies dying in gaol) and 9 *d.* for every mile he shall be obliged to travel, to be paid out of the county rates. And for every inquisition on bodies dying in gaol, as the justices shall think fit, not exceeding 20 *s.* and for inquisitions on a body slain 13 *s. 4 d.* over and above such allowances.

Coroners taking more shall be deemed guilty of extortion, except coroners of the king's household, and of the verge of the king's palaces, of the admiralty, of London, Southwark, or any particular franchises. *Ibid.*

Coroners convicted of a misdemeanor in their office may be removed. *Ibid.*



## Corporations.

By 19 *Hen. 7. c. 7.* no master, wardens, or fellowships of crafts, shall make any ordinances without consent of the chancellor, treasurer or justices; nor to restrain suits in the king's courts, upon pain of 40*l.*

By 33 *Hen. 8. c. 27.* grants, leases, and the like, by the majority of a corporation shall be valid, against any negative voice or dissent of the minority, and any bye law or oath to the contrary shall be void.

By 2 & 3 *Phil. & Mar. c. 18.* commissioners of peace and gaol delivery for a town corporate, are not superseded by a new commission for the county.

By 13 *Car. 2. c. 1.* no person shall bear the office of mayor, alderman, recorder, bailiff, town clerk, common council man, or other office in any corporation, unless he hath taken the sacrament, one year prior to his election, and he shall take the oaths of allegiance and supremacy, when the oaths of office are administered, otherwise the election is void.

The 5 *Geo. 1. c. 6.* discharged members of corporations from all incapacities of the last act, incurred by not receiving the sacrament within a year before their election; and enacts that persons elected hereafter shall not be removed, unless prosecution is commenced within six months after election.

By 11 *Geo. 1. c. 4.* where the election of mayors, or other chief officers shall not be made on the days appointed by charter or usage, the corporation shall not be thereby dissolved, but they may meet and proceed to election on the day after, and the mayor or chief officer absenting, the nearest in place may hold the court.

If no election be made, or one that becomes void, the king's bench may award a mandamus, for electing, and mayors so elected shall take the oaths before the presiding officer. *Ibid.*

No such election shall be valid, unless as great a number be present, as required by charter. *Ibid.*

Mayors voluntarily absenting themselves shall suffer six months imprisonment, and be incapacitated. *Ibid.*

A return shall be made to the first writ of mandamus. *Ibid.*

By 7 *Geo. 3. c. 48.* in companies or corporations instituted for carrying on particular trades or dealings with joint stocks, no member shall vote in general courts, unless possessed of his stock six months (except acquired by bequest, marriage, succession to intestate's estate, custom of *London*, or settlement); the oaths are required to be conformable to this act.

No declaration of a dividend shall be made, but at one of the half yearly or quarterly general courts, at five months distance from the last preceding declaration; and for no more than the half year. And no question for a proposed increase of dividend shall be decided, but by ballot taken three days after breaking up of the court. *Ibid.*

By 12 Geo. 3. c. 21. any person intitled to be admitted a citizen, burgher, or freeman, of any city, or corporation, and applying to the mayor or chief officer for that purpose, giving him notice, specifying the nature of his claims; if such mayor or head officer shall refuse to admit such person, and a mandamus shall issue for compelling his admission, the mayor shall pay all costs.

Freemen shall be admitted to inspect the entries of admission, and to take copies thereof. *Ibid.*

Mayor, bailiff, or other head officer, denying inspection of such entries, or to give copies thereof, shall for every refusal forfeit 100 l. if sued for within one year. *Ibid.*

### Corpus cum Causa.

By 2 Hen. 5. stat. 1. c. 2. no *certiorari*, or *corpus cum causa* shall discharge one that is in prison upon an execution.

By 43 Eliz. c. 5. no such writ to remove a suit out of an inferior court shall be allowed, unless delivered to the judge before any of the jury be sworn.

By 27 Jac. 1. c. 23. no writ to remove a suit commenced in an inferior court shall be obeyed, unless delivered to the judge, or other officer, before issue or demurrer joined, so as the said issue or demurrer be not joined within six weeks after the arrest or appearance of the defendant. If a cause is remanded, it shall not be again removed.

Any action not concerning freehold, title of land, lease or rent, where the demand shall not amount to, or exceed 5 l. shall not be removed. *Ibid.*

This act to extend only to courts of record where there shall be an utter barrister presiding as, or assisting the judge, and it shall not extend to suits wherein foreign plea, not triable there, is pleaded. *Ibid.*

By 12 Geo. 1. c. 29. made perpetual by 21 Geo. 2. c. 3. such courts may proceed in suits not exceeding 5 l. though there may be other actions against such defendants for higher demands.

### Counsellors.

By 3 Ed. 1. c. 29. serjeant, pleader, or the like, attainted of using deceit in the king's court, shall be imprisoned a year and a day, and thenceforth shall not be heard to plead in that court.

By 5 Eliz. c. 14. no counsellor shall be punished for pleading or shewing forth a forged deed, or the like, not being privy to the forging of the same.

By 3 Jac. 1. c. 5. no recusant convict shall practice the common law as a counsellor.

## County and Turn.

By *Mag. Chart.* 9 *Hen.* 3. c. 35. county courts are to be held monthly, and the sheriff's turn twice a year, viz. after *Easter* and *Michaelmas*. Also 31 *Ed.* 3. *Stat.* 1. c. 15.

By 52 *Hen.* 3. c. 10. prelates, barons, and religious persons are exempt from appearing at the turn.

By 3 *Ed.* 1. c. 33. sheriffs shall not suffer barretors, maintainers of quarrels, nor stewards of great lords, if not their attornies, to make suit, nor to give judgment in the counties, unless specially required by all the suitors.

By 13 *Ed.* 1. c. 13. inquests in the sheriff's turn shall be taken by twelve lawful men, who shall put their seals to the inquisition.

By 1 *Ed.* 3. c. 17. indictments in the sheriff's turn shall be by roll indented.

By 19 *Hen.* 7. c. 24. the county court for *Sussex* shall be kept alternately at *Chichester* and *Lewes*.

By 2 & 3 *Ed.* 6. c. 25. the county courts shall be kept every month, and no otherwise.

The county court of *Northumberland* shall be kept only in the town or castle of *Alnwick*. *Ibid.*

## Counties palatine.

### C H E S T E R.

By 1 *Hen.* 4. c. 18. process of outlawry in other counties against persons in the county of *Chester*, may be certified into the county of *Chester*, and proceeded upon there.

By 32 *Hen.* 8. c. 43. sessions shall be kept in *Chester* twice in the year, viz. at *Michaelmas* and *Easter*.

By 33 *Hen.* 8. c. 13. the sheriff of *Chester* is to keep his court monthly, and with the two coroners fit to give judgment upon outlawries.

By 2 & 3 *Ed.* 6. c. 28. fines may be levied before the chief justice of *Chester*, or his deputy, of lands in the county palatine of *Chester*.

Recognizances of statute merchant, and *asson burnel* acknowledged before the mayor of *Chester* shall be good. *Ibid.* c. 31.

By 43 *Eliz.* c. 15. fines may be levied before the mayor of *Chester*, of lands within the county of the city of *Chester*, and writ of error lies thereon before the high justice of the said county.

By 22 *Geo.* 2. c. 46. writs of *capias*, and other mesne process in the court of session of *Chester*, may be made returnable at the first day of the next session, or on the first *Wednesday* of any month, in the vacations, at the election of the plaintiff, and the defendant shall appear on the day of such return, or within eight days after.

By 26 *Geo.* 2. c. 34. the annual meeting for election of mayor and other officers of the city of *Chester*, shall be on the *Friday* next after *October* 20th. yearly.

By



By 27 *Geo. 3. c. 43.* justices of the court of session for the county palatine of *Chester*, may empower persons to take affidavits in causes depending therein; and the prothonotary may take like affidavits.

Persons forswearing themselves are liable to the same penalties as for false affidavits in open court. *Ibid.*

The prothonotary is to make out the commission, upon a fiat from the justices, or one of them, of which he is to make entry, and the fees for each commission are 2*s.* for the fiat, 4*s.* for the commission, besides duty and parchment, and 4*s.* for sealing the same; and the commissioners may take for swearing each affidavit 1*s.* but no affidavit shall be taken within a mile of *Chester* castle, during the county sessions. *Ibid.*

Justices of the said court may empower persons to take recognizances of bail, and the commissions shall be made out by the prothonotary, upon the justice's fiat; and the said bail, with an affidavit of the taking thereof, shall be sent to the prothonotary's office, within ten days, to be filed upon payment of 5*s.* 4*d.* and the following fees shall be paid for commissions and for taking recognizances, viz. 2*s.* for the fiat; 7*s.* 6*d.* for the commission, besides duty and parchment; 4*s.* for the seal; 5*s.* for taking bail, and 1*s.* for swearing. *Ibid.*

The justices of the said court may make rules for justifying bail, by affidavits before the commissioners, and the power of the prothonotary, or his deputy, to take recognizances, shall not be affected by this act. *Ibid.*

If any person represent another in entering into special bail, he shall be adjudged a felon. *Ibid.*

#### D U R H A M.

By 27 *Hen. 8. c. 24.* bishops of *Durham* and their chancellors, shall be justices of peace within that county palatine.

By 5 *Eliz. c. 27.* fines levied before the justices of assize at *Durham*, shall be as effectual for lands there, as fines in the common pleas.

By 31 *Eliz. c. 9.* on exigent awarded against any person dwelling in the bishoprick of *Durham*, a writ of proclamation shall be awarded, and the bishop, or chancellor, shall issue a mandate to the sheriff to make proclamation.

The bishop of *Durham* shall have a deputy in the king's bench and common pleas, to receive such writs of proclamation; and the bishop or chancellor, not making true return of every such writ, shall forfeit 5*l.* *Ibid.*

All process against persons outlawed there, shall be directed to the bishop of *Durham*, or, during vacancy, to the chancellor: and one fee only shall be taken for the proclamation, mandate and execution. *Ibid.*

By 4 *Geo. 3. c. 21.* the chancellor and justices of the court of pleas, are empowered to issue commissions to proper persons, to take and swear affidavits in causes depending in their respective courts, which affidavits are to be filed, and may be read in evidence.

The

The curfitor is to make out the commissions upon a fiat from the chancellor; or upon a fiat from two justices of the pleas, of which he is to make an entry. *Ibid.*

His fees for each commission are as follows, viz. 2 s. for the fiat, 4 s. for the commission, besides duty and paper, and 4 s. for sealing. And the commissioners may take for swearing each affidavit, if in chancery 2 s. and if in the court of pleas, 1 s. *Ibid.*

Officers of the respective courts may take affidavits as heretofore.

By 14 Geo. 3. c. 46. persons apprehending offenders, guilty of highway robbing, clipping, coining, or housebreaking, within the county palatine of *Durham*, shall receive the rewards made payable by the acts 4 W. & M. c. 6. and 7 Will. 3. 5 Ann. and 6 Geo. 1.

Disputes arising between parties apprehending offenders, shall be determined by the judges. *Ibid.*

The sheriff is to pay the reward, and be reimbursed by the commissioners of the treasury. *Ibid.*

In case any sheriff shall die, before a month after conviction, his successor shall pay the reward; and in case of default, shall forfeit double the sum, with treble costs of suit. *Ibid.*

## L A N C A S T E R.

By 33 Hen. 6. c. 2. jurors who indict in the county of *Lancaster*, a foreigner dwelling in another county, must have lands to the value of 5 l. each.

By 37 Hen. 8. c. 19. fines levied in *Lancaster* shall be of like force, as fines acknowledged before the justices of the common pleas, and like proclamations shall be made in the sessions there.

By 5 & 6 Ed. 6. c. 26. on exigent, in any action in the king's bench or common pleas, awarded against any person dwelling in the county of *Lancaster*, a writ of proclamation shall be awarded to the sheriff, and all other process of outlawry shall be directed to the chancellor of the duchy, who shall issue like writs, under the seal of the county palatine, to the sheriff.

By 2 & 3 Ph. & M. c. 20. duchy lands severed from the crown, and since re-united, shall be again parcel of the duchy, as well those lying out of the county palatine of *Lancaster* as those within the same, and shall pass under the duchy seal.

But lands in the principality of *Wales*, the duchy of *Cornwall*, and the counties of *Chester* and *Flint*, shall not be annexed to the duchy. *Ibid.*

By 17 Geo. 2. c. 7. the chancellor of the duchy may grant commissions to take affidavits.

By 22 Geo. 2. c. 46. the statute for further regulation of attorneys shall not deprive those of the duchy or county palatine of *Lancaster*, from acting within those jurisdictions.

Writs in the court of common pleas of *Lancaster*, shall be made returnable on the first *Wednesday* of any month, in vacation, or before the justices of the sessions of assizes for the county of *Lancaster*, at the plaintiff's election, and the defendant at the day of return shall appear. *Ibid.*

By

By 19 Geo. 3. c. 45. so much of 22 Car. 2. c. 6. and 22 & 23 Car. 2. c. 24. (see **FREE FARM RENTS**) as relates to free farm and other rents unfold, now in survey or receipt of the duchy, and so much of 1 Ann. c. 7. (see **KING**) as relates to manors, messuages, and lands, parcel of the duchy, held by copy of court roll, or of copyhold or customary tenure, or to fines on descent or alienation, repealed.

The chancellor and council of the duchy may sell such free farm rents, but not for less than twenty-five years purchase, and the grants are to be enrolled in twelve months after made, and owners of lands whereout the rents are payable, shall be preferred in the purchase thereof, they may also enfranchise copyhold or customary lands. *Ibid.*

The aforesaid grants, under the seal of the duchy, shall be valid in law, and those of premises under leases, shall take place on the expiration of such leases, and tenants for life, may enfranchise copyholds, and charge the premises with the purchase money. *Ibid.*

On purchases, if the consideration is under 10*l.* the grant is not liable to stamps. Grants are to be at the expence of the grantees, and enfranchised premises are to remain subject to all entails, settlements and other charges thereon. *Ibid.*

The purchase money is to be paid to the receiver general of the duchy, and laid out in the purchase of stock, in the name of the duchy of Lancaster. *Ibid.*

The chancellor and council may authorize the surveyors of woods to agree with lessees, relating to the sale of timber, trees or wood. *Ibid.*

By 27 Geo. 3. c. 34. so much of 19 Geo. 3. c. 45. as restricts the sale of the rent therein described to not less than twenty-five years purchase, is repealed, and authority given to sell the said rents at any prices not under the following rates, viz. for rents above 10*s.* per annum, twenty-four years purchase; 5*s.* and under 10*s.* twenty-two years purchase; and 1*s.* and under 5*s.* twenty years purchase.

Money arisen or to arise by the sale of the said rents, may be applied in satisfaction of any sums charged upon his majesty's lands, on account of inclosures, in the duchy of Lancaster. *Ibid.*

The bank shall permit any person, authorized by the chancellor and council of the said duchy, to transfer the stock standing in the name of the duchy, and the chancellor and council may retain money arising by sale of the rates to answer expences. *Ibid.*

After payment of all costs and charges before mentioned, the residue of the purchase money shall be laid out according to the said act. *Ibid.*

Agreements entered into by order of the chancellor and council with mortgagees, or husbands, guardians, trustees, or committees, shall be valid. *Ibid.*

Interest due to his majesty under any agreement in pursuance of this act, may be distrained for as rent. *Ibid.*



## County Rates.

By 12 Geo. 2. c. 29. one general assessment shall be made for repair of bridges, gaols and the like; instead of the several rates by former acts; and the justices are to make but one rate for *Middlesex*.

By 13 Geo. 2. c. 18. justices of peace for liberties shall have the same power as justices for the county, in collecting county rates.

## Custos Rotulorum.

By 37 Hen. 8. c. 1. a custos rotulorum shall be appointed by a writing signed by the king's hand, which shall be a warrant to the lord chancellor to put him in commission. He may execute his office by a deputy; he may appoint a clerk of the peace, who may likewise act by deputy.

By 4 Ed. 6. c. 1. the lord chancellor or lord keeper was to appoint a custos rotulorum in every county.

By 1 Will. & Mar. stat. 1. c. 21. the nomination of the custos rotulorum in all counties shall be as directed by 37 Hen. 8.

The custos rotulorum, or others to whom right doth belong, may nominate and appoint the clerk of the peace. But they are not to sell the place, on pain of forfeiting double the sum taken, and the office of custos rotulorum. *Ibid.*

## Crown Lands.

By 26 Geo. 3. c. 87. commissioners were appointed to enquire into the state and condition of the woods, forests, and land revenues, belonging to the crown; and to sell or alienate fee farm, and other unimproveable rents.

They are to report to his majesty and parliament, their progress, are to be sworn; may meet where they think proper, examine witnesses upon oath, appoint officers, and may make satisfaction to witnesses for their expences. *Ibid.*

They may examine on oath the officers of the land revenues, may inspect surveys, and cause actual ones to be made. The chancellor and barons of the exchequer may order commissions to persons, to make surveys, to examine into the limits of forests, &c. and persons claiming privileges shall deliver their claims to the commissioners. *Ibid.*

Commissioners appointed by the chancellor and barons of the exchequer shall be sworn to faithfully execute their trusts: and the treasury shall issue to the commissioners not more than 2000*l.* per ann. to pay salaries and take surveys. *Ibid.*

No timber in the said forests, shall be sold without a warrant of the treasury. *Ibid.*

The 22 Car. 2. c. 6. and 22 & 23 Car. 2. c. 24. (see-farm rents) and such parts as relate to rents within the survey of the exchequer vested in trustees, and not by them sold, shall be repealed; and the said rents shall be vested in his majesty. *Ibid.*

Commissioners may agree for the sale of rents at the best prices they can procure, not being under the following rates, viz. For rents of 10 s. per ann. and upwards, 24 years purchase of the net amount. From 5 s. to 10 s. per ann. 22 years purchase; and from 1 s. and under 5 s. twenty years purchase. *Ibid.*

Owners of the lands shall have the preference in purchasing the rents if they contract before 1 Jan. 1788. *Ibid.*

Commissioners are to certify purchases to the bank who are to receive the purchase money, and grant receipts for the same on the certificates, which being enrolled with the auditor of the land revenue, is to give possession of the rents. *Ibid.*

Commissioners may compound for arrears, but not for a less sum than is due by the present owners of lands. *Ibid.*

Certificates shall be enrolled at the expence of the parties, for which such fees are to be paid as the commissioners shall direct. If the consideration money exceed 10 l. the certificate shall be then on a stamp. *Ibid.*

If certificate be not produced and consideration money paid in fourteen days, the contract shall be void. Monies paid into the bank shall be laid out in the 3 per cent. consols. and the interest paid as directed by the treasury. *Ibid.*

Persons receiving any part of the land revenue who shall not obtain a quietus before Aug. 1, 1787, shall deliver their accounts to the commissioners to be liquidated. Processess shall be issued against defaulters herein, and if the default be wilful, the commissioners may suspend them. *Ibid.*

Persons making false oaths incur the penalties of wilful perjury. The king may appoint commissioners in place of such as may die, or decline to act; and the appointment shall not vacate a seat in parliament, or disqualify from being elected. *Ibid.*

The commissioners are not to enquire into royal palaces, or adjoining lands. *Ibid.*

*In force for three years.*

By 27 Geo. 3. c. 22. the treasury may treat for the sale or leasing of the premises therein specified, which are the Lottery Office in Privy Garden, the offices and houses belonging to the Board of Works, certain houses in Scotland-yard, and certain houses and land on Hampton-court Green.

On execution of conveyances of the said premises, and payment of the purchase-money, such conveyances shall be valid in law, and the purchase-money shall be applied, deducting expences, to the purposes of the last act.

## Damages and Costs.

BY 6 Ed. 1. c. 1. damages shall be given against the tenant in a writ of entry *sur disseisin*, and in assise of Mortd'ancestor, writ of cosenage, aiel, and besaiel, and costs shall be given in all cases, where the party is to recover damages.

By 3 Hen. 7. c. 10. if a person bound by a judgment, before execution, sue a writ of error to reverse it, and the judgment be affirmed, the writ discontinued, or the like, the defendant shall recover costs and damages.

By 23 Hen. 8. c. 15. if a plaintiff be nonsuit, or overthrown by trial in any action of trespass, covenant, detinue, account, upon the case, or otherwise, the defendant shall have costs set by the judge of the court; but this does not extend to paupers.

And by 24 Hen. 8. c. 8. no costs shall be awarded to the defendant on actions brought by the king.

By 43 Eliz. c. 6. in personal actions in the courts at Westminster not being brought for interest in lands, if the judge certifies that the debt or damages do not amount to 40s. the plaintiff shall not have more in costs.

By 4 Jac. 1. c. 3. if the demandant or plaintiff be nonsuit, or overthrown by lawful trial, in any action whatsoever, the defendant shall have costs.

By 21 Jac. 1. c. 16. in actions of slander, if the damages be under 40s. there shall be no greater costs.

The 17 Car. 2. c. 6. abolished the fee of damage clere.

By 14 Geo. 2. c. 17. on plaintiff's neglect to bring on an issue to trial, the court may give judgment as in case of nonsuit, and the defendant shall have like costs.

## Days in Bank.

By 21 Hen. 3. stat. 1. the additional day wherein leap-year falls, shall be accounted one with the precedent, so that no default shall be reckoned by reason thereof.

51 Hen. 3. stat. 2. and stat. 3. these statutes direct the days in bank in real actions, and in a writ of dower, every term answering to the other.

By 52 Hen. 3. c. 12. in a plea of dower, *unde nihil habet*, four days in the year shall be given at least, and more if convenient. In *darrein presentment* and in a *quare impedit*, from 15 to 15, or from 3 weeks to 3 weeks, as the place shall be near or far off; also 32 Hen. 8. c. 21. and 16 Car. 1. c. 6.

By 32 Hen. 8. c. 21. there shall be only four days of return in Trinity term, and such term shall begin the Monday next after Trinity Sunday, and the full term shall begin the Friday next after corpus Christi day.

This



This act also directs the continuances from *Hilary* term to *Trinity* term in real actions, and the continuances in dower from *Easter* to *Trinity*, and from *Trinity* to *Michaelmas*.

Common writs and processes shall have the same return, but special days of return, where so used, may be appointed by the justices. *Ibid.* and 24 Geo. 2. c. 48.

Days in darrein presentment, *quare impedit*, and attain, not contrary to this statute, shall continue in force. *Ibid.* and 24 Geo. 2. c. 48.

By 16 Car. 1. c. 6. in *Michaelmas* term there shall be only six common days of return, and such term shall begin on the fourth day of the three weeks of St. *Michael*.

Real actions, other than writs of entry for recoveries, right of advowson, dower, and the like, returnable in three weeks of Saint *Michael*, shall have day to the Morrow of the Purification. And dower, entry, and the like shall have day given 'till the Octave of Saint *Martin*. *Ibid.*

In dower after issue joined, fifteen days are sufficient between the teste and return of the *venire*. *Ibid.* and 24 Geo. 2. c. 48.

And by 24 Geo. 2. c. 48. there shall be only four common days of return in *Michaelmas* term, viz. the Morrow of *All Souls*, the Morrow of Saint *Martin*, the Octave of Saint *Martin*, and in fifteen days of Saint *Martin*, and the full term shall begin on the fourth day of the Morrow of *All Souls*.

Writs having day from the fourth day of the Morrow of the *Ascension* to the Morrow of the *Holy Trinity* shall be good, notwithstanding there be not fifteen days between the teste and return. *Ibid.*

Writs returnable in three weeks of Saint *Michael*, or in one month from that day, shall have day unto the Morrow of *All Souls*. *Ibid.*

Days of return of common writs in *Michaelmas* term shall keep the returns hereby directed. *Ibid.*

Writs of summons to warranty shall have only four returns inclusive. *Ibid.*

## Debt and Debtors.

By 2 Geo. 2. c. 22. and 8 Geo. 2. c. 24. mutual debts of any nature whatsoever may be set one against the other; but where either of the debts accrue by a penalty, the plea shall shew how much is truly due.

By 27 Geo. 2. c. 16. all acts for erecting courts of conscience for recovery of small debts shall be deemed public acts.

By 26 Geo. 3. c. 38. debtors committed by courts of conscience for debts not exceeding 20*s.* shall not be imprisoned more than twenty days, and where the debt does not exceed 40*s.* not more than forty days: but debtors found guilty of a fraudulent concealment of their effects, may be imprisoned for a longer term.

Debtors are to be discharged without paying gaol fees, and gaolers demanding the same forfeit 5*l.* *Ibid.*

## Debt to and from the King. 97

Two justices may determine offences against this act, within two months, and the penalties go half to the poor, and half to the informer. *Ibid.*

Process of courts of conscience shall not issue against the body and goods of the same person; and commissioners must be householders, and have 20*l.* *per ann.* or 500*l.* personal estate: acting without such qualification is a penalty of 20*l.* to the informer, if he sues within six months. *Ibid.*

## Debt to and from the King.

By *Mag. Chart.* 9 *Hen.* 3. c. 8. the king's debt shall not be levied on lands, when there are goods and chattels to satisfy; nor shall pledges be distrained when the principal is sufficient, and if they answer the debt, they are to have the debtor's lands.

The king's debtor dying, the king shall be first paid. *Ibid.* c. 18.

By 3 *Ed.* 1. c. 19. the sheriff not acquitting the king's debtor at the next account, shall pay to the plaintiff thrice as much as he received.

Persons taking rewards of the king's creditors for payment of the same debts, shall pay double. *Ibid.* c. 32.

By 28 *Ed.* 1. c. 12. distress taken for the king's debt shall be released, on the debtor's finding sufficient surety.

By 33 *Hen.* 8. c. 39. obligations made to the king shall be in the nature of a statute staple, and the king in all suits for his debts shall recover costs and damages.

Suits for the king's debts shall be in the courts where they shall be due, and execution shall be upon body, lands and goods. *Ibid.*

The courts of exchequer, wards, and duchy, shall have authority to determine all matters, where the king shall be only party, and on title pretended to lands sold or exchanged by the king, or the king pretending title thereto, or demanding rents or profits thereout, the court of augmentations, without other warrant may make recompense to any person that is wronged.

*But the courts erected by this act were united to the exchequer, pursuant to the powers granted in 1 MAR. stat. 2. c. 10.*

The said courts may fine and punish offenders. The chief officers of the said courts may discharge recognizances taken there, and also recognizances taken for appearance or contempt. *Ibid.*

The penalties for default of payment of rents, reserved on grants of abbey lands by the king, shall be, if in arrear three months, one fourth of the yearly rent over what is due, if in arrear one year, one half more, and for every half year after, a whole year's rent over. *Ibid.*

Such penalties and rent may be recovered by distress, and persons paying any rent or tenth, bringing with them an acquittance, are to have the same signed without fee, but if the treasurer or receiver makes the same out, he is to have fourpence, if he takes more, the penalty is twenty shillings. *Ibid.*

The auditor is to take no more than 3s. 4d. for the enrolment of any patent, decree, grant, or indenture; on pain of 6s. 8d. *Ibid.*

Auditors shall cause proclamation to be made in four market towns twenty days before their coming; on pain of 5l. and shall send their precepts to bailiffs to attend, and account, and if they do not appear, or pay, they shall forfeit their office, and all fees. *Ibid.*

An accomptant concealing any rent, shall be attached for the same, and also for the penalty in his recognizance. *Ibid.*

It shall be sufficient to shew the deed, whereby any debt accrues to the king by attainder, outlawry, forfeiture, gift or the like. *Ibid.*

The king shall be preferred to others in suit and execution. *Ibid.*

The tenant in fee-simple or tail shall pay his ancestor's debts to the king, and they shall be payable by the heir, though in the bond he be not named. And the king may charge the executors or administrators. *Ibid.*

The lands chargeable to the king, recovered by a just title, shall be discharged of the debts, sufficient matter may be pleaded in discharge of the debt; and lands chargeable to the king in several mens tenures, shall be wholly and not severally liable. *Ibid.*

The liberties of the duchy of *Lancaster* are saved, and process and execution for debts growing in the exchequer may be as usual. *Ibid.*

By 7 *Jac.* 1. c. 15. no debt shall be assigned to the king by any accountant to him, except such as were before originally due to such accountant.

By 11 *Will.* 3. c. 2. the king's tenants returned into the exchequer for rent actually paid, shall be discharged on producing the receipt.

## Deer-stealers.

By 9 *Geo.* 1. c. 22. justices may issue warrants to search for stolen venison, in such manner as for stolen goods, and venison or skin of deer found in custody of suspected persons, and not accounted for, subjects the party to the penalties of 3 & 4 *Will.* & *Mar.* c. 10. for killing a deer. But such act of *Will.* & *Mar.* is repealed by 16 *Geo.* 3. c. 30. which inflicts other penalties.

By 16 *Geo.* 3. c. 30. hunting or taking in toils, or killing, wounding, or destroying, or attempting so to do, or carrying away red or fallow deer in forest, chase, purlieu, or ancient walk, enclosed or not, park, paddock, wood or ground where deer are usually kept, without the consent of the owner, or not duly authorized by him, or being assistant; for hunting or attempting to kill, or aiding, to forfeit 20l. For killing, wounding, or carrying away, or aiding, for each deer 30l. and if the offender be the keeper of the park, or entrusted therewith, to pay double; and offending after conviction, to be transported for seven years.



If convicted on any former act to be deemed a second offence, *Ibid.*

Justices may order suspected houses to be searched for skins. *Ibid.*

Setting toils for deer to forfeit 10*l.* and not less than 5*l.* and for the second offence 20*l.* and not less than 10*l.* *Ibid.*

Pulling down pales, or inclosures of a park, or like place, where deer are kept, incurs the same penalty, as the first for killing deer. *Ibid.*

Fire-arms or the like, carried in parks, with intent to destroy deer, may be seized; and beating the keeper, or rescuing the prisoner, transportation for seven years. *Ibid.*

The penalties shall be applied one moiety to the king, and the other to the informer, to be levied by distress; and the offender, on non-payment, may be committed for one year, or till payment. *Ibid.*

It is necessary to observe that this act repealed 13 Ric. 2. c. 13. 19 Hen. 7. c. 11. 7 Jac. 1. c. 13. 3 Jac. 1. c. 13. 13 Car. 2. c. 10. 3 & 4 Will. & Mar. c. 10. 5 Geo. 1. c. 15. and 10 Geo. 2. c. 32. so far as they respectively relate to deer. But it does not extend to Scotland.

## Dilapidations.

By 13 Eliz. c. 10. fraudulent deeds made by spiritual persons to defeat their successors of remedy for dilapidations, shall be void.

By 14 Eliz. c. 11. money recovered for dilapidations shall be employed in repair of the same.

No lease shall be made by this act in reversion, nor without charging the lessee with the reparations, nor for a longer term than forty years, nor shall any houses be aliened, but for equivalent in lands in fee-simple. *Ibid.*

By 18 Eliz. c. 11. all leases by spiritual persons, where a former lease is not within three years of expiring shall be void; and all bonds or covenants for renewing or making any lease contrary to 13 Eliz. c. 10. or this act, shall be utterly void.

In two months after sentence against an incumbent for making a void lease, against 13 Eliz. c. 20. the ordinary may grant a sequestration of the benefice demised, to the use of the poor. *Ibid.* See title Leases.

## Discontinuance.

By 1 Ed. 6. c. 7. the death of the king shall not discontinue any suit between party and party. Assizes of novel disseisin, *mort d'ancestor*, attainds, or the like, shall not be discontinued by reason of death of the justices, new commissions, advancement of the party to titles, dignities or offices. And no process or suit before justices of assize, gaol delivery, justices of peace or others, shall be discontinued by a new commission.

## Disseisin.

By 3 *Ed. 1. c. 24.* no escheator, sheriff, or other bailiff of the king, shall disseize any man of his freehold, on pain of paying double damages upon being attainted thereof.

Disseisor with force or robbery shall render damages as well of the goods as for the freehold, and shall make fine, imprisonment and the like. *Ibid. c. 37.*

Disseisor dying, after the writ brought and before the assise be passed, writ of entry upon disseisin lies against the heir, of what age soever. *Ibid. c. 47.*

By 13 *Ed. 1. c. 26.* in writs of redisseisin double damages shall be awarded.

## Distress.

By *Mag. Chart. 9 Hen. 3. c. 10.* none shall be distrained to do more service for any freehold than is due.

By 51 *Hen. 3. stat. 4.* owners of cattle impounded for the king's debt may give them food; no sale of the distress to be made within fifteen days, and the same shall cease on shewing an exchequer tally of payment. Distresses are to be reasonable, and neither draught cattle nor sheep shall be distrained, except for damage feasant.

By 52 *Hen. 3. c. 1.* persons taking distress for private revenge without award of the king's court, shall pay fine to the king, and damages according to the trespass.

None shall take distresses out of their fee, or of those who are not suitors. Nor shall any refuse delivery of a distress by the king's officers, under fine to the king, and damages to the party; but if the lord distrains without cause, and suffer delivery, he shall only be amerced. *Ibid. c. 2, 3.* and also 3 *Ed. 1. c. 16.*

None shall drive a distress out of the county where taken, upon pain of being fined; and sheriffs without, and bailiffs within liberties, shall on complaint, make delivery of the distress taken, and wrongfully withholden. Nor shall any person but the king's officer take a distress out of his fee, or in the king's highway. *Ibid. c. 4, 15, 21.* and also 3 *Ed. 1. c. 16.*

By 3 *Ed. 1. c. 17.* if a distress be driven into a castle or fortrefs, and be withheld against pledges, and the sheriff demands deliverance, and tries to make replevin, and be deforced; the sheriff shall cause the castle or fortrefs to be beaten down, and the plaintiff's damages shall be restored to him double.

No stranger shall be distrained in any city, borough, town or fair for any debt he owes not as debtor or pledge. *Ibid. c. 23.*

The grand distress shall be awarded after default of the tenant on the first attachment. *Ibid. c. 45.*

By

By 13 *Ed. 1. c. 37.* distresses shall be taken by known bailiffs and such as are sworn.

By 9 *Ed. 2. c. 9.* distresses shall not be taken in the highway, or in the ancient fees of the church.

By 1 *Phil. & Mar. c. 12.* no distress of cattle shall be driven out of the hundred, except to a pound overt in the same county, nor above three miles distant, nor be impounded in several places, under the penalty of 5*l.* and treble damages.

No more than fourpence shall be taken for the poundage of any one distress, on forfeiture of 5*l.* besides what was taken more. *Ibid.*

The sheriff shall appoint four deputies within two months not above twelve miles from each other, to make *replevins*, on forfeiture of 5*l.* a month. *Ibid.*

By 2 *Will. & Mar. stat. 1. c. 5.* goods distrained for rent, if not replevied within five days after distress and notice, may be appraised by two sworn appraisers, and sold, rendering the overplus to the owner.

Corn in sheaves or loose, or hay in the barn or rick may be detained in the place as a distress, till replevied or sold, but the same shall not be removed to the owner's damage. *Ibid.*

Treble damages and costs are recoverable for pound breach or rescous: and double value of distress sold with full costs may be recovered in trespass or case against the person distraining without cause. *Ibid.*

By 27 *Geo. 2. c. 20.* justices of peace in their warrants of distress for levying any penalty, shall limit the time for sale of the distress, to not less than four, nor more than eight days.

Officer may deduct the charges of keeping and selling such distress, rendering the overplus, on demand, to the owner. *Ibid.*

# Dogs.

By 10 *Geo. 3. c. 18.* persons stealing dogs from the owner or person intrusted therewith, or selling, buying, receiving, or detaining dogs, knowing the same to be stolen, and convicted on the oath of one witness before two justices, shall pay not more than 30*l.* nor less than 20*l.* for the first offence, with charges, and on non-payment may be committed for twelve months, and not less than six.

For the second offence to pay 50*l.* and not less than 30*l.* with charges, one moiety to the informer and the other to the poor, and on non-payment may be committed for eighteen months, and not less than twelve, and to be publicly whipped in three days. *Ibid.*

Search may be made for dogs and skins stolen, and the person in whose custody found, liable to the same penalties; appeal lies to the quarter sessions, where costs may be given; but no certiorari. *Ibid.*



## Dower and Tenant by the Curtesy.

By *Mag. Chart.* 9 *Hen.* 3. c. 7. a widow shall immediately after her husband's death have her marriage inheritance; and she shall remain in the chief house of her husband forty days, within which time dower is to be assigned her; and for her dower she shall be allowed the third part of all the lands which was her husband's in his life time, except she were endowed of less at the church door.

By 20 *Hen.* 3. c. 1. a woman deforced of her dower, or quarantine shall recover damages, viz. the value thereof from her husband's death.

Widows may devise the crops growing upon their dower, and other tenements, saving the lord's services. *Ibid.* c. 2.

By 3 *Ed.* 1. c. 49. a writ of dower shall not abate, because the widow has received dower of another man, before the writ was brought, unless she has received part of her dower of the tenant himself, and in the same will.

By 6 *Ed.* 1. c. 7. if tenant in dower aliens in fee or for life, the heir shall have present recovery by writ of entry.

By *stat. de tenent. per legem Angliæ.* The husband shall be tenant by the curtesy, if there be issue of the marriage, born alive.

## Drapery.

By 11 *Ed.* 3. c. 3. none shall import into *England, Ireland, Wales, or Scotland*, any foreign cloths, on pain of forfeiture. But foreign cloth workers may come, and shall have sufficient franchises. c. 5.

By 27 *Ed.* 3. *stat.* 1. c. 4. there shall be no forfeiture for defect of assize, but there shall be an allowance made to the buyer for so much as it wants thereof.

By 50 *Ed.* 3. c. 7. and 7 *Ed.* 4. c. 3. woollen cloths shall not be exported before fulled.

By 13 *Ric.* 2. *stat.* 1. c. 11. no plain cloth tacked or folded, made in *Somerset, Dorset, Bristol, and Gloucester*, shall be put to sale before they are opened, on forfeiture thereof.

By 17 *Ric.* 2. c. 2. every person may make cloth of what length and breadth he will, using no deceit.

By 4 *Ed.* 4. c. 1. broad cloth shall be twenty-four yards and an inch to each long, and in breadth seven quarters; if longer, the buyer is to pay extra.

Kersey is to be eighteen yards long, and one yard and a nail broad. *Ibid.*

Half cloths to be according to whole cloths. Lamb's wool, flocks or cork, shall not be mixed with cloth, on pain of 20 s. except the cloth be entirely of lamb's wool, or the cork be used in dying. *Ibid.*

Cloths

Cloths shall perfectly pursue one order of workmanship, and clothiers shall pay the workmen in ready money, and deliver them wool according to the weight, upon pain of treble the wages, and 6*d.* for every excessive weight. *Ibid.*

Every worker of wool shall do his duty therein lawfully, and the fuller shall use tasels, and no cards; on forfeiture of double damages by each. *Ibid.*

By 7 *Ed.* 4. c. 2. flocks may be put into cloth in the hundreds of *Lifton, Tavistock, and Rowburgh in Devon.*

By 1 *Ric.* 3. c. 8. broad cloth shall be fully watered before it be put to sale.

Whole cloth and broad cloth, after watered, shall be twenty-four yards and inches long, and two yards broad. Half cloth twelve yards and inches long, and two yards broad. Kerseys eighteen yards and inches long, and one yard and a nail broad, on pain of cutting the broad cloth in three pieces, and forfeiting 6*s.* 8*d.* and the half cloth and kerseys in two, and forfeiting 3*s.* 4*d.*

Cloth shall not be stretched after watered, on forfeiture thereof; no deceitful things shall be cast upon cloth, nor any chalk on white cloth; on pain of 40*s.* per cloth. *Ibid.*

Cloth not fully watered shall not be sheared, or exported; on the like penalty. *Ibid.*

None shall retail cloth not fully watered, nor stretch it in the length or breadth; on forfeiture thereof. None shall keep a tenter in his house; on pain of 20*l.* but the same shall be set in open places. *Ibid.*

No cloth shall be dyed with jarrock, and the cloth and the list shall be dyed with one colour; on pain of 40*s.* *Ibid.*

Faulty cloth shall be brought before the chief magistrate and cut, and the penalties are to go half to the king and half to the seizer. *Ibid.*

By 3 *Hen.* 7. c. 11. no woollen cloth shall be transported, before it is barbed, rowed, and shorn, except vestes, rays, sailing cloths, and others, under 40*s.*

By 3 *Hen.* 8. c. 7. vestes, rays, sailing and other cloths, at four marks or less may be exported unbarbed.

By 5 *Hen.* 8. c. 2. and 6 *Hen.* 8. c. 8. white fraits in *Devon,* shall be a yard and half a quarter broad, and fifteen yards long, and every maker shall mark his cloths; on forfeiture thereof.

By 6 *Hen.* 8. c. 9. wool delivered to break, kemb, card, or spin, shall, being not more in weight than twelve pounds, have a quarter of a pound for waste, according whereto the wool and yarn shall be redelivered to the clothier, without damping; on pain of 12*d.*

A weaver shall put all the yarn into the web, or restore it; on pain of 3*s.* 4*d.* *Ibid.*

Coloured wool shall be bought in open market only; on forfeiture thereof, the walker and fuller shall do their duty without flocks, deceit or cards, on pain of 6*s.* 8*d.* *Ibid.*

Cloth (*except vestes not more than 40s. per cloth.* 14 *Hen.* 8. c. 11.) which shrinks more than one yard in length, and a quarter in breadth shall not be sold, on pain of 6*s.* 8*d.* and buyers

shall not strain cloth by the tenter or wrinch; on forfeiture of 5 *l.* *Ibid.*

No flocks shall be put in cloths; on pain of 20 *s.* and the measure of cloth shall be by the yard and inch; on pain of 5 *l.* *Ibid.*

By 25 *Hen.* 8. *c.* 18. no cloths for sale shall be made in *Worcestershire*, but by the inhabitants of *Worcester*, *Evesham*, *Droitwich*, *Kidderminster*, and *Bromesgrove*, on pain of 40 *s.* per broad cloth; and cloth shall be searched and sealed in the aforesaid towns.

By 27 *Hen.* 8. *c.* 12. every clothier shall weave his mark in his cloth, and set his seal to it, on forfeiture thereof; and if it does not prove at the water to be of the same length as marked, he forfeits the double value.

Broad cloth shall be seven quarters of a yard broad, water proof, on pain of 3 *s.* 4 *d.* and kerseys one yard, on pain of 20 *d.* but this act does not extend to *Suffolk* cloths, *Tavistocks*, *Western* dozens, frizes, *Kendals*, cottons, and linings. *Ibid.*

Buyers are not to stretch cloths, unless to make them even and agree with the seal, on forfeiture of double the value. *Ibid.*

This act does not extend to *Worcestershire*.

No coloured cloth above 3 *l.* unrowed or the like, shall be exported, on forfeiture thereof. *Ibid.* *c.* 13. and 33 *Hen.* 8. *c.* 19.

By 33 *Hen.* 8. *c.* 3. *Welsh* cloths made in *North Wales* and *Orcester Hundred*, shall be folded as other cloths, on forfeiture.

By 3 & 4 *Ed.* 6. *c.* 2. the clothier shall set his seal, declaring the length, to be tried by the water.

Cloth shall not be unduly strained, or shrinking fold, on pain of 20 *s.* nor shall it be dyed deceitfully, or mixed, or have any thing deceiverable put thereon, on pain of 40 *s.* *Ibid.*

Cloth shall be sold by the yard and inch, the magistrates are to appoint overseers, to see the statute observed, and every clothier is to mark his cloth with an E crowned, on pain of 20 *s.*

By 5 & 6 *Ed.* 6. *c.* 6. and 4 & 5 *Phil.* 5 *Mar.* *c.* 5. *Kent*, *Suffex*, and *Reading* broad cloths shall be in the water twenty-eight yards long, seven quarters broad, and weigh eighty-six pounds. *Worcester* and *Coventry* white cloths twenty-nine yards long, the like breadth, and seventy-five pounds weight, their coloured cloths the same, and in weight seventy pounds.

Short *Worcester* shall be twenty-four yards long, the above breadth, and weigh sixty pounds, *Suffolk*, *Norfolk*, and *Essex* coloured long cloths shall be twenty-eight yards long, seven quarters broad, and weigh eighty pounds, their short cloths twenty-four yards long, the same breadth, and weight sixty-four, and handy warps shall be of the same breadth, and weigh by the yard two pounds and an half. *Ibid.*

*Wiltshire*, *Gloucester*, and *Somerset* whites and reds, shall be twenty-six yards long, seven quarters broad, and weigh sixty pounds coloured, the whites sixty-one pounds; their coloured cloths shall be twenty-five yards long, seven quarters broad, and weigh eighty-eight pounds.

Ordinary



Ordinary kerseys shall be sixteen yards long, and weigh one pound; sorting the like length, but twenty-two pounds weight. *Ibid.*

*Devonshire* kerseys, twelve yards long, and every yard one pound weight, *Taunton* cloths, *Bridgewater*s, and the like, shall be twelve yards long, and seven quarters broad, narrow twenty-four yards long, one broad, and in weight thirty-four pounds. *Ibid.*

*Cardigan*, *Carmarthen* and *Pembroke* frizes, shall be thirty-six yards long, three quarters broad, and weigh forty-eight pounds, half pieces in proportion. *Ibid.*

Northern cloths shall be twenty-three yards long, seven quarters broad, and weigh sixty-six pounds, dozens twelve yards long, the above breadth, and thirty three pounds weight. *Ibid.*

Forest whites shall be twelve yards long, six quarters and an half broad, and weigh twenty-eight pounds, and *Cheshire* cottons shall be twenty-two goods long, three quarters broad, and weigh thirty pounds. *Ibid.*

The penalty for not making broad cloths accordingly, is 40s. and 2s. for every pound short under four pounds; if above 40s. for not duly making of kerseys, the penalty is 40s. *Ibid.*

No hair, flocks, or lamb's wool, shall be put into any cloth, kersey, frize, or cotton; nor shall the same be exported without the owner's seal on forfeiture thereof. *Ibid.*

Every retailer shall try his cloth, and present that which is faulty, on forfeiture of double the value, and the clothier shall repay the money or double the value. *Ibid.*

Cloths are not to be stretched above a yard in length and half a quarter in breadth; on pain of 5*l.* and the penalty for using a tenter with a wrinch, rope, or ring, is 20*l.* *Ibid.*

Two searchers are to be appointed in every borough, city, and place, to inspect and seize undue cloth, and every person damnified thereby, shall take his remedy against the wrong-doer. *Ibid.*

Cloth shall be sealed in towns and cities with lead, for which the searcher is to have 2*d.* and if the cloth be faulty, it is likewise to be marked *F.* *Ibid.*

Sealing cloth insufficiently dressed is a forfeiture of the value thereof, and putting the seal to faulty cloth is a penalty of 5*l.* *Ibid.*

Cloth shall not be retailed without such seals; on forfeiture of the value thereof, magistrates omitting to appoint searchers forfeit 10*l.* and searchers refusing to act, 5*l.* *Ibid.*

Cloth shall not be hot pressed, on forfeiture thereof: and counterfeiting, setting to, or taking away the seals, is for the first offence a forfeiture of 40*l.* and for the second the pillory and loss of goods. *Ibid.*

This act does not extend to *Tawistoke* cloths, and wool shall not be boiled with galls, rinds, barks or sawdust, on forfeiture thereof. *Ibid.*

Using a gig mill to work woollen cloth, shall forfeit 5*l.* per cloth. *Ibid.* c. 22.

By

By 1 *Mar. stat.* 3. c. 7. broad cloth may be made in any of the clothing towns, according to 5 *Ed.* 6.

By 2 & 3 *Phil. & Mar.* c. 12. no person in *Somersetshire* shall sell any *Bridgewater*, *Taunton* and chard cloths, unless searched and sealed, on forfeiture thereof.

By 4 & 5 *Phil. & Mar.* c. 5. *Suffolk*, *Norfolk*, *Kent*, and *Essex*, short cloths, not above 6l. shall be six quarters and an half broad.

No persons shall add the lifts of handy warps to cloths, on forfeiture thereof, except the custom at *Worcester*. *Ibid.*

Wool for making broad cloths in the *West Riding* of *Yorkshire*, shall be first dyed with blue of 2d. per pound, on forfeiture of the cloth. *Ibid.*

Every goad of *Welsh* lining shall be three quarters broad, and weigh one pound and half a quarter, and every yard of cotton one pound. *Ibid.*

None that buy to sell again shall work any *Welsh* linings on pain of 6s. 8d. and *Cheshire* cottons may be divided into half pieces. *Ibid.*

Cloths or kerseys for every pound wanting above four pounds is a penalty of 5s. and for every pound exceeding not above four pounds, 2s. *Ibid.*

Cloths made out of cities or towns may be sealed in the next city or town, and persons denying of searching or sealing shall forfeit 10l. *Ibid.*

There shall be no searching in common fairs or markets, of cloth sealed. *Ibid.*

The clothier must mark each cloth with an M crowned, on pain of 20s. *Ibid.*

No persons shall make cloth unless they have served an apprenticeship, or used the same for seven years, on forfeiture thereof. *Ibid.*

By 8 *Eliz.* c. 6. for every nine cloths unwrought, exported by licence, one cloth shall be wrought, of like sort, length, breadth and goodness; on pain of 10l.

No *Kentish* or *Suffolk* cloth shall be exported unwrought by any licence; on pain of 40s. *Ibid.*

No inhabitant of *Shrewsbury* shall use the trade of buying *Welsh* cottons, frizes or the like, unless he be free, or have served an apprenticeship; on pain of 6s. 8d. such buyers shall not use the trade of frizing, on the like penalty, and they shall pay their sheermen in ready money for frizing; on pain of being disabled to trade therein. *Ibid.* c. 7.

No cloth in *Lancaster* shall be sold before the clothier hath set his seal thereto; on forfeiture thereof. *Ibid.* c. 12.

Cottons there shall be 20 goads long, three quarters broad, and weigh 11 pounds, frizes and rugs between thirty-five and thirty-seven yards long, three quarters of a yard, or within a nail broad, and in weight 43 pounds; upon pain of forfeiting for every pound wanting, under 3 pounds 12d. and for every pound wanting above three pounds, 5s. *Ibid.*

By

By 27 *Eliz. c. 17.* and 35 *Eliz. c. 9.* no forfeiture shall be incurred because cloths made in *Wiltshire, Gloucester, Somerset, and Oxon,* are not seven quarters broad, so that they be six quarters and an half broad at least.

If narrow listed cloths be less than sixty-one pounds in weight, and broad sixty-three pounds, the clothier incurs double the penalties in 4 & 5 *Phil. & Mar. c. 5.* *Ibid.*

Hair flocks or lamb's wool may be put into plain or pinned white straits in *Devon, or Cornwall,* and every person there may have three looms, and make them of any length, breadth or weight. *Ibid. c. 18.*

By 35 *Eliz. c. 9.* broad plunkets, azures, blues, or other coloured cloths shall be in weight sixty-eight pounds; on double the penalty by 5 & 6 *Ed. 6. c. 6.* for every pound wanting.

*Devonshire* kerseys or dozens, raw, shall weigh fifteen pounds, the rudgewash seventeen pounds, and each measure between fifteen and sixteen yards, on pain of one shilling for every quarter of a pound or yard wanting. *Ibid. c. 10.*

Weavers shall use no deceit, shall weave a shop mark, and a purrel of coloured yarn at each end on pain of 10s. *Ibid.*

No kerseys or dozens shall be sold before viewed, marked, and weighed; on pain of 10s. *Ibid.*

Searchers are to be appointed by the magistrates in *Devon;* they are to have a farthing for each kersey, and if they neglect their duty, the chief magistrate is to forfeit 20s. and for every market day wanting a searcher, 40s. *Ibid.*

No dozen shall be bought or dressed before it be tried; upon forfeiture thereof, and its length shall not be diminished; on pain of 20s. *Ibid.*

By 39 *Eliz. c. 20.* no person in counties North of *Trent* shall strain any cloths, on pain of 5l. nor shall they use any sort of tenter, wrinch, or other engines to stretch or strain any cloths; on pain of 20l.

*This act extended to all England by 43 Eliz. c. 10.*

Northern cloths shall be made of such weights, lengths, and breadths, as by former statutes appointed; on pain of four shillings for every yard, and two shillings for every pound wanting. *Ibid.*

Overseers of cloth-making shall be appointed by the chief magistrates, and they are to enter into a recognizance of 40l. to search once a month, and if they find any cloth unsealed by the clothier, the same is forfeited, and may be seized. *Ibid.*

Clothiers setting a false seal, or straining or stretching of cloth or withholding of faulty cloth, or denying of search, shall for the first offence forfeit 10l. the second 20l. and the third be set upon the pillory, and persons refusing to act as overseers forfeit 5l. *Ibid.*

The overseers shall seal, and mark all cloths searched, and the penalty for forging seals or taking them away, is for the first offence 10l. and for the second 20l. and the pillory. *Ibid.*

Justices



Justices of peace, head constables, and overseers may search for ropes, rings, winches and the like and deface them, if found a second time they are to be sold for the use of the poor, and resisting the search, is the same penalty as for resisting the overseers. *Ibid.*

By 43 *Eliz.* c. 10. none shall put hair flocks, thrums or other deceivable things, in woollen cloth, kerseys, or frize; on forfeiture thereof; nor sell any woollen cloth tentered; on the like pain.

Woollen cloths shall not exceed the length appointed by former statutes on pain of forfeiture: and they shall be of the like weight, saving that those of *Taunton*, *Bridgewater* and the like, shall weigh thirty pounds at least, and *Norfolk*, *Suffolk*, *Essex*, and *Northern* cloth, may be abated four pounds for the workmanship. *Ibid.*

Want of weight three pounds in broad whole cloth, shall forfeit 10*s.* for one pound, and so double for every other pound wanting. *Ibid.*

Cloth sealed by the overseers shall not be searched or tried again. *Ibid.*

No merchant shall take advantage of clothier's hand to his book, for any defects in the cloth. All acts contrary to this repealed; a moiety of the forfeitures not otherwise appointed, shall go to the overseers and searchers: and the merchant may return cloth tentered to the maker, and recover the value. *Ibid.*

By 1 *Jac.* 1. c. 25. no person shall incur any penalty for want of length, breadth, or weight of *Welsh* cottons, under fifteen-pence a yard, so they be not mixed with deceitful stuff.

By 3 *Jac.* 1. c. 16. ordinary kerseys shall not exceed twenty-four yards in length, and shall weigh twenty-eight pounds and an half. Sorting thirty-two pounds and an half, and so in proportion.

The maker shall forfeit 5*s.* for every yard exceeding, and 2*s.* for every pound wanting. *Ibid.*

But no penalty shall be incurred for want of a seal or content of *Welsh* cottons, nor shall they be searched or tried in water, but by the buyer.

By 4 *Jac.* 1. c. 2. broad coloured cloth of *Kent*, *Yorkshire*, or *Reading* shall be between thirty and thirty-four yards long at the water, and in weight, fully dried, eighty six pounds at the least.

Long *Worcesters* shall be between thirty and thirty-three yards long, seven quarters broad, and in weight seventy-eight pounds. *Ibid.*

Plunkets, azures, blues, and long white cloths shall be between twenty-nine and thirty-two yards long, six quarters and an half broad, and in weight eighty pounds; short cloths coloured, and sorting shall be between twenty-three and twenty-six yards long, six quarters broad, and in weight sixty-four pounds. *Ibid.*

Fine short *Suffolks* shall be of the same length, breadth, and weight. *Ibid.*

Handiwarps shall be between twenty-nine and thirty-two yards long, seven quarters broad, and in weight seventy-six pounds; coloured cloth made in *Wilts* and *Somersetshire* shall be between twenty-six and twenty-eight yards long, six quarters and an half broad, and

and in weight sixty-eight pounds; and short cloth made of dyed wools in *Yorkshire*, and a half piece called dozens shall be between twenty-three and twenty-five yards long, six quarters and an half broad, and in weight sixty-six pounds. *Ibid.*

Broad listed whites and reds shall be between twenty-six and twenty-eight yards long, six quarters and an half broad, and in weight sixty-four pounds; and narrow listed whites and reds shall be of the same length and breadth, but the white is to weigh sixty-one pounds and the red sixty pounds. *Ibid.*

Fine cloth with plain lists shall be between twenty-nine and thirty-two yards long, six quarters broad, and in weight seventy-two pounds. *Ibid.*

Cloths having stopped lists shall be between thirty and thirty-three yards long, seven quarters broad, and in weight seventy-eight pounds; broad cloths called *Tauntons*, *Bridgewater*s and *Dunsters* between twelve and thirteen yards long, seven quarters broad, and in weight thirty pounds; and narrow cloths of the like sort, between twenty-four and twenty-five yards long, one yard broad, and thirty pounds weight. Broad and narrow cloths made in *Yorkshire* shall be in the same proportion, but the narrow shall be between seventeen and eighteen yards, and in weight proportionable. *Ibid.*

*Devonshire* kerseys or dozens shall be between twelve and thirteen yards long, and weigh thirteen pounds. Check kerseys, straits and plain greys seventeen and eighteen yards long, one broad, and weigh twenty-four pounds, ordinary *Pennistons* twelve and thirteen yards long, five quarters and an half broad, and weigh twenty-eight pounds; sorting *Pennistons* thirteen and fourteen yards long, six quarters and an half broad, weight thirty-five pounds. *Ibid.*

Cogware, kendal, and carpmals, are not subject to any other penalty than such as were imposed thereon before 39 *Eliz.* so as they do not shrink above one yard in twenty. *Ibid.*

Washers or wash-whites shall be between seventeen and eighteen yards long, half thicked; eighteen and nineteen yards, quarter thicked, and weigh seventeen pounds; there shall be no deceitful rowing, or raising of cloth, on pain of 13 s. 4 d. and there shall be no different rowing, raising, falling, or shearing of the lists of cloth, on the like penalty. *Ibid.*

There shall be no cutting off wool from the back sides of cloth, but with shears, on pain of 13 s. 4 d. There shall be no blowing, spouting, or bedewing any cloth on the sides near the lists, on the like pain; and if done to encrease the weight, the penalty is 40 s. *Ibid.*

In the dying, dressing, shearing, and rowing of cloth, not mentioned, there shall be an allowance of four pounds in the weight of broad cloth, and five pounds in long cloth. *Ibid.*

Flannel, wadnells and coverlets may be made as usual, the forfeiture where cloth is longer than appointed, shall be 10 s. per yard. Where cloth wanteth weight, the penalty is 10 s. for every lb. above 2 lb. and where it wanteth breadth through the whole, 20 s. through half, 10 s. and under, 5 s. *Ibid.*

If the cloth be of less length than the seal doth import, the forfeiture is 6s. 8d. per yard to the buyer. *Ibid.*

All contrary statutes concerning the length, breadth, and weight of cloths or forfeitures are repealed. *Ibid.*

Cloth searched by overseers, shall not be searched, tried, or watered again, but by the buyer thereof; and the overseers are to have a moiety of the penalties for faulty cloth, but if they neglect to certify the same, the buyer shall have such moiety. *Ibid.*

Every clothier may make any kind of woollen cloth. *Ibid.*

By 7 *Jac.* 1. c. 16. cogware, kendal, and carpmearls, made in the North parts, under 13s. 4d. shall not be searched nor sealed.

By 21 *Jac.* 1. c. 18. no person shall mix flocks, thrums, or any deceivable thing in cloths, on pain of 5*l.* and searchers may enter houses to find deceivable cloth: but the searcher that searcheth cloth already searched, forfeits 5*l.*

No tenters for broad cloths in *Yorkshire*, shall have more than half a quarter of a yard liberty for the under bar; for narrow cloths, no further liberty for the under bar, than half of half a quarter of a yard, on pain of being defaced; and for the second offence the penalty is 40*s.* to the poor. *Ibid.*

Every overseer of cloth shall set his name upon the seal, and pressing of cloths between hot planks, shall be punished with like forfeiture as pressing them with a hot press. *Ibid.*

No penalty shall be incurred for want of length, breadth, or weight, of *Walsb* cottons under 15*d.* the yard, or 2*s.* the goad, so as they be duly made. *Ibid.* c. 28.

By 12 *Car.* 2. c. 22. bays called four and fifties, sixties, sixty-eights, eighties, and hundred bays, within the town of *Cotchester*, shall be carried to the *Dutch* bay hall, and there searched and allowed.

By 22 & 23 *Car.* 2. c. 8. all cloth and stuffs woven at *Kidderminster*, shall be under the regulation of the president, wardens, and assistants of the weavers there.

*As this act is particularly local, the Editor does not conceive it necessary to enter into a specification of the clauses.*

By 11 *Will.* 3. c. 20. duties payable on the exportation of *English* woollen manufactures, shall cease.

By 6 *Ann.* c. 8. white broad cloth intended to be exported, being shipped before duty paid, is a forfeiture thereof. And any person may export white woollen cloth made in *Great Britain*.

By 7 *Ann.* c. 13. broad cloth in *Yorkshire* shall be five quarters and an half broad; half cloth shall not be more than twenty-three yards long, whole, forty-six yards, and whole thick kerseys and plain shall be seventeen yards and an half long, and three quarters and an half broad, on pain of forfeiting for every inch wanting in breadth, for every yard exceeding in length, and wanting, as to the kerseys, 20*s.*

Owners of fulling mills shall fix a seal of lead, mentioning, in figures, the length and breadth of each cloth, the fee for so doing is 1*d.* *Ibid.*

Fullers



Fullers refusing or neglecting, and persons defacing the said seal, or stretching the cloth more than is directed, shall forfeit 20*s*. *Ibid*.

If any such cloths shall, without the default of the maker, be less than the breadth aforesaid, they may be sold without the penalty. *Ibid*.

By 10 *Ann. c. 16*. medley broad cloth shall be measured at the fulling mill by the master, who shall take an oath truly to perform such measuring, and shall fix a seal to each cloth, mentioning the length, breadth, &c. being paid 1*d*. But if damaged after measured, it shall be measured again.

Neglecting to measure, counterfeiting the seal, or refusing the same, forfeits 20*s*. per cloth, and stretching the same above one yard in twenty, or one nail in breadth, is a like penalty. *Ibid*.

A table twelve feet long, and three wide, with the length of a yard and inch nailed thereon, shall be kept in the mill to measure cloth, on pain of 10*l*. *Ibid*.

Clothiers shall pay their workmen in money, on pain of 20*s*. *Ibid*.

This act does not extend to *Yorkshire*.

By 1 *Geo. 1. c. 15*. all mixed or medley broad cloth, at instance of the buyer, shall be put into water for proof, and measured by two indifferent persons, chosen by the buyer and seller, or by one appointed by a chief magistrate; broad cloths shall contain the quantity mentioned in the mill seals, or the seller shall forfeit a sixth part, to be repaid him again by the master of the mill.

Master of a fulling mill refusing to take the oath directed by 10 *Ann. c. 16*. or to fix a seal; and persons taking off, or altering such seal, shall forfeit 20*l*. *Ibid*.

All broad cloths shall be stamped with the watch measure, and clothiers selling before sealed and stamped, shall forfeit the sixth part of the cloth. *Ibid*.

This act shall not affect any factor, nor extend to *Yorkshire* cloths. *Ibid*.

*Yorkshire* cloths, whole thick kerseys, plains, huggabags, and broken quilled kerseys, shall not be less than eighteen yards long, and three quarters and an half broad, on pain of forfeiting for every inch in breadth, and every half yard in length wanting, 20*s*. stretching the cloth more than an inch in every quarter of a yard in breadth, or more than half a yard in length, of eighteen yards, is a like penalty; and the clothier fixing a mark other than his own, is a forfeiture of 40*s*. *Ibid*.

By 11 *Geo. 1. c. 24*. broad cloth, in the West Riding of *York*, whether an half or whole cloth, shall be five quarters and an half broad, and the half cloth shall not exceed in length twenty-four yards, nor the whole cloth forty-eight yards, on pain of forfeiting for every inch wanting in breadth, and for every yard exceeding in length, 20*s*.

Such broad cloth shall be measured at the fulling mill, the mill-man is to be sworn, and shall affix a seal of lead to the cloth, denoting the length and breadth, for which he is to be paid 2*d*. for a whole

whole cloth, and 1 *d.* for a half cloth; a moiety whereof is to be paid to the county treasurer, towards the salaries of the searchers under this act; but if the cloth be damaged in measuring, it may be measured again. *Ibid.*

Mill-man neglecting his duty, and persons forging or defacing the seals, shall forfeit 5 *l.* the buyer may wet the cloths, and measure the same, which, if deficient, is a forfeiture of the sixth part thereof by the seller, who is to be repaid by the mill-man. *Ibid.*

The mill-man is to affix new seals, and the measurers are to be paid by the buyer 6 *d.* for every cloth measured. *Ibid.*

Merchant may return defective cloth to the clothier, who is to repay the money. *Ibid.*

Clothier shall affix his mark on his cloths, on pain of 5 *l.* and persons cutting out or altering the seals or marks, before sale, shall likewise forfeit 5 *l.* *Ibid.*

Persons stretching cloth, over the measure in the seals, shall forfeit for every half yard more than one in length of an half cloth, and more than two in a whole cloth, and for every inch, above one in a quarter, in breadth, over-stretched, 20 *s.*

Cloths shall be dressed in all parts alike, and the worker shall fix at the head end his mark in lead, on pain of 5 *l.* *Ibid.*

The lengths of yards shall be numbered on the tenters, on pain of 5 *l.* *Ibid.*

The West Riding quarter sessions shall, yearly, at *Easter*, chuse searchers, conversant in the trade, to inspect the mills, who are to be sworn to execute the office truly. *Ibid.*

They may enter the houses, grounds, and warehouses, of clothiers, to search for frauds; and if refused, the penalty is 10 *l.* on discovery of frauds the owner shall forfeit 5 *l.* *Ibid.*

Searchers acting against their oaths, forfeit 20 *l.* They shall not examine cloths packed for exportation, but by warrant from a justice on an information laid, which, if groundless, the informer shall pay 5 *s.* per cloth to the merchant. *Ibid.*

Cloth dresser stretching the merchants cloths, or altering the seals, shall repay the merchant the penalties, and cards with wire shall not be used in dressing cloth, on pain of 50 *l.*

By 7 *Geo. 2. c. 25.* made perpetual by 14 *Geo. 2. c. 35.* owners of fulling mills, in the West Riding of *York*, shall stamp on a leaden seal, the true length and breadth of every broad cloth before it be carried from the mill, on penalty of 20 *s.* for each offence.

Buyers suspecting the quantity, may put the cloth in water four hours, and cause the same to be measured by a sworn searcher, who is to make information on oath, of defective cloth, in five days after the admeasurement, on penalty of 20 *s.* *Ibid.*

The seller, in five days after notice, may examine the cloth complained of, and if refused by the buyer, the prosecution shall cease. *Ibid.*

There shall be no greater penalty than 10 *s.* for the first inch, 15 *s.* for the second, and 20 *s.* for the rest, in cloth defective in breadth. And no penalties shall be incurred for white cloths, after put into hot water to be dyed. *Ibid.*

Stretching cloths more than one yard in every length of twenty yards, and one inch in every quarter of a yard in breadth, above the quantity marked, is a forfeiture of 10*s.* for every quarter of a yard in length, and 20*s.* for every inch in breadth. *Ibid.* and 5 *Geo.* 3. c. 51.

By 11 *Geo.* 2. c. 28. makers of narrow woollen cloth, in the West Riding of *York*, shall set the initial letters of their names at the head of every piece of cloth (except white kerseys and half ticks) and the same shall be measured and sealed at the fulling mill, on pain of 20*s.* by the maker, and 5*l.* by the mill-man.

Justices at quarter sessions are to appoint yearly, at *Easter*, searchers, conversant in the making of narrow cloths, who are to have salaries allowed, and be sworn to act truly, and in case of death or sickness, others are to be appointed. *Ibid.*

Cloths stamped wrong, shall be restamped, on penalty of 5*s.* and makers may stretch one inch in every yard in length, and two inches in every three quarters of a yard in breadth; but if that proportion is exceeded, the penalty is for the first half yard in length, or inch in breadth, 10*s.* and for the next 20*s.* *Ibid.*

A sum not above 3*d.* shall be paid to such persons as the justices appoint, by every maker for each cloth, before carried to the fulling mill, to pay the salaries of the searchers, and the mill-man, or person appointed to receive the same, may detain the cloth till the money be paid. *Ibid.*

Prosecutions must be commenced against the mill-man or searchers within eight days, or against clothiers and dealers in cloth within one month after the offence. *Ibid.*

Makers may make narrow cloth (except as before) of what length and breadth they think fit. *Ibid.*

Cloths made in the West Riding of *York*, and milled in adjacent counties, shall, before dry, be brought to the nearest mill-man in the said Riding, to be measured and marked. *Ibid.*

The 5 *Geo.* 3. c. 51. repealed 11 *Geo.* 1. c. 24. 7 *Geo.* 2. c. 25. and 14 *Geo.* 2. c. 35. relating to cloth made in the West Riding of *Yorkshire*. The justices are to appoint searchers and measurers, and the maker shall pay for measuring and sealing,

	<i>s.</i>	<i>d.</i>
For whole cloth thirty-five yards long,	0	6
If more than thirty yards,	0	4
And less,	0	3

And not to take cloths from the mill till measured and stamped. The cloths shall be sealed before they are put on the tenters; and the justices are to appoint inspectors of fulling mills, who are to visit mills and tenter grounds.

Inspectors if they find cloths falsely stamped by the measurer, above two inches in breadth, and one yard in length, are to complain to a magistrate, who shall convict the offender in the penalty of 10*s.* the inspectors may also enter shops where they shall suspect any undue stamped or stretched cloths, and if found, the offenders are to forfeit not more than 5*l.* nor less than 10*s.* but they are not to inspect cloth packed for exportation. *Ibid.*



Where false seals are found, the inspector is to fix new seals, which are to be the rule of payment for the cloths, and the treasurer of the county, to whom the fees for searching are to be paid, for the purpose of paying the searchers and inspectors thereout such salaries as shall be allowed them at the *Easter* sessions, shall deduct the forfeitures out of the inspectors salaries. *Ibid.*

Persons charged with frauds may examine the cloths, and if refused, all prosecutions shall be void. Clothiers shall weave their names and places of abode, in the heads of their cloth on pain of 20s. and defacing or counterfeiting seals, before the cloth is taken from the tenters, is a forfeiture of not more than 5*l.* nor less than 40s. *Ibid.*

There shall be paid for milling long cloths, for every yard above fifty-eight yards 1*d.* $\frac{1}{2}$  above the usual price, and justices shall settle disputes between clothiers and millers. *Ibid.*

Using cards made with wire or wire teeth, is a penalty of 40s. *Ibid.*

By 6 *Geo.* 3. c. 23. merchants may have cloths made wet, and remeasured by an inspector, and if of less quantity than the seal denotes; the searcher shall forfeit,

For every inch in breadth, or half yard in length, defective, 5s.

And for every other inch in breadth, or half yard in length, deficient, 10s.

One moiety, deducting costs, to the informer, and the other to the treasurer of the West Riding.

False seals found, inspector to put new ones, and the seller to forfeit double the deficiency, or take his cloth back, and pay expences. *Ibid.*

Inspector for false stamping shall forfeit,

For the first inch in breadth, or half yard in length, deficient, 1*l.* and if two inches in breadth; or one yard in length, deficient, to lose his office. If the inspector suspects fraud in the maker, he may wet and measure cloth. *Ibid.*

Power given to the sessions *repealed*; over-stretching cloths to forfeit,

For the first half yard in length, or inch in breadth, 5s. and every other quarter of a yard in length, and inch in breadth, 10s.

To extend to all cloths made in the West Riding of *Yorkshire*, except narrow cloths described by 11 *Geo.* 2. c. 28. and blankets and striped duffield blankets. *Ibid.*

## Drugs.

By 7 *Ann.* c. 8. drugs of the growth of *America* may be imported from any of the plantations, paying the same duty only as if imported directly from the place of their growth.

By 1 *Geo.* 1. c. 43. senna imported shall pay the duties of tonnage and poundage, as a medicinal drug, and not as a dying.

## Dyers.

By 23 *Eliz. c. 9.* no cloth shall be mathered for black, unless it be first grounded with woad; but galled black, shoomake black, or plain black, may be dyed.

A dyer shall fix a seal of lead to his cloth, with the letter M. on pain of 3*s.* 4*d.* per yard; and persons selling unwoaded cloths without notice to the buyer, are to forfeit double value to the informer. *Ibid.*

By 23 *Geo. 3. c. 15.* no person shall dye any cloths, bays or other woollen goods, for mather blacks, not being first dyed throughout with woad and indigo; on pain of forfeiting as follows, viz.

For bocking bays seventy yards, 5*l.*

For *Colchester* or short bays thirty-five yards, 2*l.* 10*s.*

And for all other woollen goods 6*d.* per yard.

And dying any cloth for woaded black; the same not being woaded throughout, is a penalty of 2*s.* per yard. *Ibid.*

Woollen goods truly mathered, shall be marked with a red and blue rose, and truly woaded black, with a blue rose; forging or using such marks improperly, is a penalty of 4*l.* per piece. *Ibid.*

Using logwood in dying blue, is a penalty of 20*l.* for every piece of cloth so dyed. *Ibid.*

Penalties above 5*l.* to be recovered in the superior courts, under, before two justices, and the prosecution must be within forty days. *Ibid.*

The quarter sessions, in places above ten miles from *London*, are to appoint searchers in the same manner as the dyers company in *London*, are. (See *Dyers* under the head *London*) *Ibid.*

## East India Company.

BY 9 & 10 *Will. 3. c. 44.* the sum of 160,000*l.* out of the additional duties on salt and stamps, shall be the yearly fund for answering annuities, after the rate of 8 *per cent.* to the subscribers of the sum of two millions; subject to redemption.

The king, by letters patent under the great seal, shall incorporate the subscribers, to whom the 160,000*l.* shall be paid by weekly payments. *Ibid.*

The subscribers may trade to and from the *East Indies*, and parts beyond the *Cape of Good Hope* to the streights of *Magellan*, none trading for more than his stock. *Ibid.*

Members of the Company shall not trade otherwise than in the joint stock, and shall take oaths of fidelity they shall enter the goods they export, on pain of forfeiture thereof, and double the value. *Ibid.*

The Company may make bye laws: goods laden in the *Indies* shall be brought to *England* without breaking bulk, and goods imported shall be sold by inch of candle. *Ibid.*

The king's commission shall direct in what manner the shares in the yearly fund shall be transferred; the stock shall be a personal estate, tax free, not liable to foreign attachment, nor the proprietor a bankrupt in respect thereof. *Ibid.*

The company are not to borrow on the credit of this fund, nor owe any greater sums than employed in trade, to be borrowed only on their common seal, and not repayable before six months; they are not to discount bills or keep cash for any person. *Ibid.*

The company shall have the sole trade to the *East Indies*; others trading thither without licence, shall forfeit ship, goods, and double value. *Ibid.*

They shall not owe more than the value of their capital stock undivided, and if they do, the dividends shall be liable. *Ibid.*

By 1 *Ann. stat.* 1. c. 12. the united *East India* company shall yearly deliver 494 tons and a quarter of saltpetre, into the royal stores if demanded, at the first cost, freight and charges.

By 6 *Ann.* c. 3. the security to be given under 9 *Will.* 3. c. 44. shall be 2,500*l.* per ton; and goods laden in *India* shall be brought to *England*, on forfeiture thereof (stores for *St. Helena* excepted).

The *English* company, trading to the *East Indies*, shall advance and pay into the exchequer, 1,200,000*l.* and borrow by their common seal on their united stock 1,500,000*l.* more than they may by the former act. The 1,200,000*l.* shall be deemed an addition to the stock of the company. *Ibid.* c. 17.

By 5 *Geo.* 1. c. 21. no person shall solicit for or act under a commission from a foreign prince, in the *East Indies*, on pain of 500*l.* and the company may arrest persons trading there, continued by 20 *Geo.* 3. c. 19. until the year 1800.

But this not to prejudice the right of trade within any part of those limits, in the *South-sea* company. *Ibid.*

By 7 *Geo.* 1. c. 5. the company may take up monies on their common seal, not exceeding the sum due from the public to them; but they may not borrow money on credit of their capital stock, nor for a greater sum than shall be employed in their trade, nor discount bills, nor keep cash for others.

The attorney general may file an information within six years, against any subject who shall go, or traffic to the *East Indies*, and if convicted he shall be fined and imprisoned at the discretion of the court, but if acquitted shall have full costs. *Ibid.* c. 21.

All contracts for loans by bottomry on foreign ships, bound for the *East Indies*, and all copartnerships, agreements, and the like, for loading such ships, wages, or the like, shall be void. *Ibid.*

Any subject repairing to the *East Indies*, contrary to the laws, shall be deemed a trader, and all goods in his custody shall be forfeited, and double value. *Ibid.*

Goods shipped to, or taken out of ships coming from, the *East Indies* (except of the company or licensed by them) are forfeited, with double the value; and the masters of such ships, shall forfeit 1000*l.* and lose their wages. *Ibid.*



The attorney general may file a bill in the exchequer, against such as trade to the *East Indies*, contrary to law, or their agents, for discovery of such trading, and waiving the penalties, such person shall answer, and not plead or demur, and pay the customs, and 30 per cent. to the company, and costs may be paid by either side. *Ibid.*

The penalties of this and the precedent acts are, one third to the crown, another to the informer, and the other to the company. *Ibid.*

This act does not extend to the *Levant* company; and the *East India* company may export stores of war, duty free, such duty not exceeding 300*l.* in one year. *Ibid.*

By 9 *Geo.* 1. c. 26. no subject shall subscribe to, or promote, any *foreign East India* company, on forfeiture of such stock, and treble the value; one third to the crown, and two thirds to the *English* company.

Subjects accepting such shares, in trust, not discovering in six months, forfeit treble the value, or are to be imprisoned for a year. *Ibid.*

Persons within the time limited discovering, shall have a moiety of the forfeitures. *Ibid.*

Subjects going to the *East Indies* (except lawfully authorized) may be seized, brought home and prosecuted for high crimes and misdemeanors, and are liable, on conviction, to corporal punishment, fine, and imprisonment. *Ibid.*

A *capias* may be issued in the first instance, but bail is allowed by natural subjects, and offences against this and the former acts may be laid in *London* or *Middlesex*. *Ibid.*

If the company first inform, the part of the forfeitures shall devolve upon them; but if suit be commenced on the former acts, there shall be no prosecution on this act, except by bill of complaint. *Ibid.*

By 3 *Geo.* 2. c. 14. the yearly fund of 160,000*l.* was reduced to 128,000*l.* and on three years notice, after 25th *March* 1766, and repayment of the whole capital stock, the exclusive trade shall cease; but the corporation shall continue.

The company shall not purchase lands, exceeding the yearly value of 10,000*l.* nor shall this act extend to the *South-sea* or the *Levant* company.

The reduced annuities of 128,000*l.* shall be paid out of the aggregate fund. *Ibid.* c. 20.

By 17 *Geo.* 2. c. 17. the company shall have an additional annuity of 30,000*l.* out of the surplus of the duties on spirituous liquors, subject to redemption by parliament.

On three years notice after 25th *March* 1780, and repayment of capital stock, the exclusive trade shall cease, but the corporation continue. *Ibid.*

Officers of excise are to attend the sales of tea, and report the price on oath, and inspect the company's books. 18 *Geo.* 2. c. 26.

By 27 *Geo.* 2. c. 9. officers and soldiers in the pay of the *East India* company, who shall mutiny or desert, shall suffer death, or such punishment as a court martial shall inflict.

Offences committed by the company's presidents, council, or governors, may be inquired of, in the court of king's bench, or before commissioners appointed by his majesty in *England*. *Ibid.* and 1 *Geo.* 3. c. 14.

His majesty may authorize the court of directors to empower the governor and council at Fort *Marlborough*, or any other principal settlement where courts of judicature shall be authorized, to appoint courts martial, 1 *Geo.* 3. c. 14.

By 5 *Geo.* 3. c. 30. the company may export goods to *Africa*.

By 7 *Geo.* 3. c. 49. and 8 *Geo.* 3. c. 11. no dividend shall be made after *June* 24, 1776, but by vote by ballot at a general court, on seven days notice; nor shall the same be increased beyond 10 *per cent.* *per ann.* after *May* 8, 1767, till the next session of parliament; nor shall a ballot on any question take place in less than eight hours after, and no ballot shall begin later than twelve at noon, nor close before six in the afternoon.

The company shall pay 400,000*l.* *per ann.* into the exchequer for two years, for the territorial revenues, 7 *Geo.* 3. c. 57.

By 9 *Geo.* 3. c. 24. that payment was continued for five years at the disposal of parliament, and the dividends were allowed to be encreased to 12*l.* 10*s.* *per cent.* *per ann.*

The company shall export *British* goods to the value of 380,837*l.* *per ann.* to give bond and specify goods on oath, and if more is exported in one year, the surplus to be put to the next year's account. *Ibid.*

If they have cash at home to pay their simple contract debts, and equal to the public debt due to them; to lend the surplus to the public at 2*l.* *per cent.* *per ann.* and to give a state of their affairs and cash annually to the treasury on oath. *Ibid.*

By 10 *Geo.* 3. c. 47. to forfeit to the company 100*l.* *per cent.* for illicit trade besides the duties, and the company's servants exporting warlike stores to be sold in *India*, or assisting therein, may be prosecuted in the king's bench, and fined and imprisoned.

A dividend the same as the last, and the chairman declaring the same, deemed notice, and no ballot in less than twenty-four hours after the question put and adjourned. *Ibid.*

The company's servants guilty of crimes in *India*, may be tried in the king's bench, and the facts alledged in *Middlesex*, and the defendant to give notice of the substance of his defence, and not to give other matter in evidence. *I id.*

By 12 *Geo.* 3. c. 54. The company shall not build more ships (except those building) till the tonnage is reduced to 45,000 tons, builder's measure, on penalty of 5000*l.* nor shall they hire ships built since *March* 18th 1772, on the like penalty; but may build ships in *India* or *British America*.

By 13 *Geo.* 3. c. 9. after *December* 7, 1772, for six months the company shall not grant commissions with extraordinary powers to transact their affairs in *India*, unless allowed by act of parliament.

By 13 *Geo.* 3. c. 63. instead of twenty-four directors as now elected annually, there shall be six for one year, six for two years, six for

for three years, and six for four years, and so annually, on the second *Wednesday* in *April*, six shall be elected to continue each four years.

None in the company's service abroad to be directors till resident in *England* two years. *Ibid.*

All collusive transfers in trust to make votes shall be absolute, and securities to retransfer are void, and the person transferring shall forfeit 1000*l.* and after *October 1, 1773*, no vote shall be allowed unless possessed of 1000*l.* stock twelve months before the election, 3000*l.* to have two votes, 6000*l.* to have three votes, and 10,000*l.* to have four votes; to vote on oath and liable to perjury. *Ibid.*

A governor general and four councillors were instituted for the civil and military government of *Bengal*, *Babar*, and *Orissa*, and if they differ in opinion, the majority shall decide; if equal, the governor, or (if no governor) the eldest councillor shall have the casting vote; and they are to controul the presidencies of *Madras*, *Bombay*, and *Bencoolen*, as to war, and peace (except on imminent necessity) who are to obey their orders, and they are to be subordinate to the court of directors, who are to transmit copies of their advices relating to civil or military affairs to the secretary of state. *Ibid.*

The king by charter may appoint a supreme court of judicature at *Fort William* in *Bengal*, to consist of a chief justice, and three other judges, with jurisdiction over the provinces of *Bengal*, *Babar*, and *Orissa*, to determine complaints against the king's subjects for crimes, and actions against any employed by the company, but not to try indictments against the governor or council for offences not treason or felony. *Ibid.*

May determine suits on contracts against the inhabitants for above 500 current rupees, where such inhabitant hath agreed the same should be determined in the said court, and such suits may be brought in the first instance, or by appeal from other courts. *Ibid.*

The governor, council, chief, and other judges not to be arrested; and all persons may appeal to the king in council, on security given. *Ibid.*

The charter of *Geo. 2.* establishing the mayor's court of *Calcutta* (if a new charter shall be granted pursuant to this act) shall cease, and the records be transferred to the new court. *Ibid.*

The governor to have 25,000*l.* per ann. salary, each of the council 10,000*l.* chief justice 8000*l.* and each judge 6000*l.* to be paid out of the revenues of the said provinces, and not to have perquisites or presents, or to trade (except on the company's account.) *Ibid.*

No collector of the revenues or other officer of justice shall trade in salt, beetle nut, tobacco or rice (except on account of the company) on forfeiture thereof with treble the value, but may sell stock in hand, declared on oath, for nine months, and trade in *Fort William*, and town of *Calcutta*. *Ibid.*

Interest of money limited to 12*l.* per cent. per ann. on penalty of treble value, one moiety to the company, the other to the prosecutor, and the informer compounding liable to fine and imprisonment. *Ibid.*



Persons dismissed or resigning the company's service, not to trade, but only to dispose of their stock in hand, and the company's servants convicted of breaches of trust may be fined and imprisoned, and sent to *England*. *Ibid.*

Offences to be tried in the supreme court by a jury of *British* subjects, resident at *Calcutta*, and the company may compound or discharge the sentences of the said court, or restore servants dismissed, by the consent of three fourths of the directors and proprietors at a court by ballot, on 14 days notice. *Ibid.*

The governor and council may make regulations as to civil government (not repugnant to the laws of the realm) but not to be in force till registered in the supreme court, and subject to appeal to the king in council, and copies to be fixed up in the *India* house, and sent to the secretary of state, and if not disapproved by the king in two years, good, and the governor and council may act as justices of the peace, and hold quarter sessions. *Ibid.*

The governor general, president, governor, or council of any settlement, or the chief or other judges, may be tried in the king's bench, for offences committed in *India*, and upon indictment there, upon mandamus, the supreme court may examine witnesses on oath, according to their religion, which being taken in writing, and returned shall be good evidence, and the parties may have copies of depositions; and in case of proceeding in parliament, the lord chancellor, or speaker of the commons, may send a warrant to *India* to examine witnesses in like manner, which shall be good evidence, and no proceedings which shall be discontinued by prorogation of parliament. On suits by the company in law or equity, such mandamus may be granted to examine witnesses, but not in capital cases, (except in parliament.) *Ibid.*

Privileges of the company, not varied, to remain. *Ibid.*

For payment of the company's debts due to the public, the treasury to issue exchequer bills for 1,400,000*l.* which the bank is to advance, and on payment into the exchequer, the company indemnified against damages incurred under 7 *Geo.* 3. *c.* 57. and 9 *Geo.* 3. *c.* 24. and thereout to be paid first all due from the company for customs, then 117,314*l.* 1*s.* 3*d.*  $\frac{1}{2}$  and 84,842*l.* 8*s.* 7*d.*  $\frac{1}{2}$  for deficiency of duty on tea, and then 600,000*l.* to the bank, and the remainder towards discharging 369,398*l.* 18*s.* 2*d.* due from the company pursuant to 9 *Geo.* 3. *c.* 24. *Ibid.* *c.* 64.

Till the said 1,400,000*l.* shall be repaid, and the company's bond debt reduced to 1,500,000*l.* no dividend shall exceed 6 *per cent.* and after repayment, till the bonds are reduced as above, not more than 7*l.* *per cent.* and the surplus of their clear revenue shall go in discharge of the said debt. *Ibid.*

Statements of their accounts to be delivered half yearly to the treasury, and the company not to accept of bills for more than 300,000*l.* without the consent of the treasury, and to export the same quantity of goods as before-mentioned. *Ibid.* 19 *Geo.* 3. *c.* 61. and 20 *Geo.* 3. *c.* 56.

By 19 Geo. 3. c. 61. the territorial acquisitions in *India* shall remain to the company till April 5, 1781, and no dividend above 8*l.* per cent. in the mean time, and the governor and council of *Fort William* continued, unless removed by the king on the representation of the directors; and the rights of the crown or company not affected after the expiration of this act. Also 20 Geo. 3. c. 56, and 21 Geo. 3. c. 65.

The 20 Geo. 3. c. 56. indemnified the company for what they paid for building three ships for the public.

By 21 Geo. 3. c. 65. the company shall pay 400,000*l.* into the exchequer by installments, and the exclusive right of the company to trade continued, and other persons trading in *India* subject to the penalties in 7 Geo. 1. c. 21.

The company to enjoy all privileges by their charters not altered by this act. *Ibid.*

On three years notice after the first of March 1791, and repayment of the capital, the exclusive trade shall cease, but the corporation continue. *Ibid.*

The territorial acquisitions to remain to the company, and they to retain annually 8*l.* per cent. on their stock, and if any surplus three fourths to the public to be paid into the exchequer, and one fourth to the company to be paid on the first of May yearly. *Ibid.*

The company may increase their dividends to 12*l.* 10*s.* per cent. at 1 per cent. per ann. and to give an account to the treasury yearly of their effects and debts; and to pay the king two lacks of rupees per ann. for each regiment of 1000 men sent to *India*, and during the war to victual the ships of war sent there, and the treasury to pay one fourth part; but if the company cannot divide 8*l.* per cent. per ann. the public to pay more, and after peace, the company to find victualing, and to send naval stores to *India* as desired by the navy board, and the treasury to pay for the same, though taken or lost. *Ibid.*

The company to repair the men of war in *India*, and during war to be paid by the treasury, but in peace at their own expence. *Ibid.*

No bills of exchange to be drawn in *India* for more than 300,000*l.* (exclusive of 800,000*l.* to commanders) in a year, and no bills issued in *India* to be paid here without the consent of eighteen directors. *Ibid.*

*British* subjects in *India* to reside within ten miles of some principal settlement, and not to lend money to any foreign company, and any person sending *Indian* goods to *Europe* (except the company) to forfeit double the value; and suits by the company against private traders not to be stopped or penalties or damages mitigated. *Ibid.*

The act likewise contains regulations as to recruits and deserters; and the company's ships shall be deemed *British*. *Ibid.*

In case of death or resignation of governor or council of *Fort William*, the directors by the king's consent shall appoint, but the governor shall not have any salary till he takes the office; and the  
commander

commander in chief there, if in council, shall rank as second, but not to be governor without special appointment. *Ibid.*

By 21 Geo. 3. c. 70. the governor general and council of *Bengal* shall not be subject to the supreme court, and persons acting by their order justified (except *British* subjects) and the said governor and council shall be subject to courts in *Great Britain*.

Complainants against the governor and council, shall give bond to prosecute in *Great Britain*, and may have orders complained of produced, and authentic copies may be given in evidence, but the prosecution must be in five years. *Ibid.*

Supreme court not to have jurisdiction as to the revenue, or land owners or farmers, or the company's *British* servants, except for trespasses or in civil suits submitted to their decision. *Ibid.*

The names of all the natives in the company's service in any judicial office shall be entered in a book, and on death or removal, the like entry of a successor. *Ibid.*

*British* subjects shall enter in the provincial office the names of their native agents, to be transmitted to *Calcutta*, for a fee of one *ficca* rupee, and employing agents not registered, penalties by the company's servants 500*l.* and by others 100*l.* and no native entitled to his salary till registered, and *British* subjects trading with native partners, not registered, to forfeit their share of the profits, which may be sued for by any other *British* subject. *Ibid.*

The supreme court shall determine actions at *Calcutta*, between *Mahometans* and *Gentoos*, preserving the authority of fathers and masters of families, and may form process with the king's approbation. *Ibid.*

The governor and council shall determine pleas and appeals, be deemed a court of record, and to be final, except on appeal to his majesty; in civil suits of 5000*l.* value, the governor and council may make regulations for the provincial courts. *Ibid.*

Judicial officers in the country courts not amenable to the supreme court, and no information against them without notice, nor liable to arrest till default of appearance; and certain natives imprisoned, discharged on security, and may appeal to the king. *Ibid.*

The governor and council indemnified in resisting the supreme court. *Ibid.*

By 24 Geo. 3. c. 25. his majesty is impowered to appoint six privy councillors, the secretary of state, and chancellor of the exchequer, to be two, who are to be commissioners for the affairs of *India*; three of whom shall form a board; the secretary or chancellor, or senior commissioner shall be president, and such board is vested with the superintendance and controul over all the territorial possessions in the *East Indies*, and over the affairs of the company.

The president shall have a casting vote. His majesty may revoke the commission at pleasure, and appoint new commissioners. *Ibid.*

Government and revenues of the *British* territorial possessions in *India*, are subject to the controul of the board. *Ibid.*

Secretaries



Secretaries and clerks to attend the board shall be appointed by the secretary of state, and paid under a warrant with the king's sign manual. *Ibid.*

Members of the board shall be sworn to do justice, and the secretaries and clerks to observe secrecy. *Ibid.*

Neither the commissioners, nor their chief secretary, shall be disqualified from being elected members of parliament. *Ibid.*

Members of the board shall have access to, and be furnished with copies of, and papers belonging to the *India* company. The court of directors shall deliver to the board copies of all minutes of courts of proprietors, or directors, as relate to the government of revenues of the territorial possessions, and shall obey all orders received from the board relative thereto. *Ibid.*

Copies of letters shall be returned to the directors within fourteen days. If the directors do not transmit to the board their intended dispatches within fourteen days after required, the board may, without waiting, send to the directors instructions for the governments in the *East Indies*, according to which they shall make up their dispatches, unless on their representation, the board shall alter them. *Ibid.*

The court of directors, on receiving orders from the board not connected with the government and revenues of the territorial possessions may appeal to his majesty in council. *Ibid.*

Matters requiring secrecy may be sent by the board to the secret committee, who shall transmit their orders to *India* agreeable thereto. *Ibid.*

The directors are to appoint a secret committee, who are to transmit to the governments in *India*, duplicates of such secret orders sent them from the board: but the board are not to appoint any servants of the company. *Ibid.*

The first vacancy of a councillor at *Fort William* shall not be supplied by the court of directors; but the supreme government shall consist of a governor general and three councillors only, and the commander in chief shall have voice next to the governor general. *Ibid.*

The settlements of *Fort St. George* and *Bombay*, shall consist of a governor and three councillors each, the commanders in chief to be one. *Ibid.*

The directors shall appoint a governor and two councillors both at *Fort St. George*, and *Bombay*; and the governor general and governors shall have the casting vote. *Ibid.*

The king by writing under his sign manual, or the directors by writing under their hands, may recall any governor general, or other officer from *India*, and vacancies of offices in *India*, shall be supplied by the directors out of their covenanted servants, except governors. *Ibid.*

Commanders in chief shall not succeed to the office of governor general or president, unless specially appointed by the directors: and if directors neglect to supply vacancies, his majesty may do it. *Ibid.*

The directors may appoint eventual successors to the offices of governor general or presidents; and resignation of the office of governor general shall be in writing. *Ibid.*

All powers vested in the directors, or proprietors contrary to this act are repealed. *Ibid.*

The governor general and council of *Fort William*, in points relating to transactions with the country powers, war or peace, the revenues or forces in war, or points referred to them by the directors, shall controul all the other governments belonging to the company. *Ibid.*

Orders issued from *Fort William* to the other governments shall be obeyed, unless they have received positive orders to the contrary from the directors; and such orders from *Fort William* shall specify the dates and particulars of the last dispatches; and if they are repugnant to such as have been since received by such governments, they shall give notice thereof to *Fort William*, that other order may be made therein. *Ibid.*

The several boards in *India* are to consider first such business as shall be proposed by the governor general, or presidents; and if the councillors propose any, the governors may adjourn the discussion thereof forty-eight hours; but there is to be no second adjournment without the councillors consent. *Ibid.*

The governor general and council of *Fort William* are not to declare war against any *Indian* power, unless authorised by the directors, except hostilities are commenced against the *British* nation, or states dependant thereon, or princes whose possessions are guaranteed. *Ibid.*

No governor or president of any subordinate settlement shall issue any order for war or peace (except in cases of emergency) unless by order from *Fort William*, or the court of directors. *Ibid.*

Subordinate presidents and councillors disobeying the orders of the said governor general and council of *Fort William*, may be suspended, and they are to transmit copies of all acts in council to *Fort William*. *Ibid.*

The court of directors shall take into consideration the demands of *British* subjects on the nabob of *Arcot*; and also the disputes between the said nabob and the rajah of *Tanjore*. *Ibid.*

The complaints of rajahs, zemindars, polygars, talookdars, and other natives, shall be taken into consideration by the directors, and their grievances redressed. *Ibid.*

All the company's establishments, civil or military, in *India*, shall be taken into consideration by the directors, who shall make all practicable retrenchments and reductions therein, and a list of all offices in the company's establishments in *India*, with the salaries, shall be laid before the two houses of parliament, within fourteen days of every session. *Ibid.*

The directors shall send no more cadets or writers, or other new servants to *India* than shall be actually necessary, and promotions of officers in *India* shall be made by seniority. *Ibid.*

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Cadets may be sent to *India* when fifteen, or not more than twenty-two years of age; and they must leave a certificate from the parish, or an affidavit of their age, with the company's secretary. *Ibid.*

*British* subjects shall be amenable to justice (both in *India* and *Great Britain*) for all acts done in *India*. *Ibid.*

Receiving of presents shall be deemed extortion, and punished as such; and the court where tried may order presents to be returned: but counsellors at law, physicians, surgeons, and chaplains, may receive professional fees. *Ibid.*

Disobeying the orders of the directors, or making any corrupt bargain to obtain any office under the company in *India*, shall be punished as a misdemeanor. *Ibid.*

The company's servants dismissed by any competent court shall not be restored, and their revenue officers (being *British* born subjects) shall be sworn to take no more than the actual taxes or rent. *Ibid.*

The governor general of *Fort William* may issue his warrant for securing any person suspected of carrying on illicit correspondence, and may commit him. If the party accused cannot exculpate himself, he shall remain in custody till trial; and the presidencies of *Fort Saint George* and *Bombay* shall have similar powers. *Ibid.*

No officer of the company in *India*, after returning to this kingdom, and residing in *Europe* for five years (unless it were on account of his health), shall be capable of any appointment to *India* again, except with the approbation of the directors, and three-fourths of a general court of proprietors. *Ibid.*

The attorney general on motion may exhibit an information in the court of king's bench against *British* subjects who shall be guilty of extortion, or other misdemeanors in *India*, whereupon the court may order the offender to be committed, unless he enters into a recognizance of bail with two sureties; and when the defendant has appeared and pleaded, the court shall within ten days (unless any mandamus shall be granted to examine witnesses, within a time to be limited) deliver the record to the lord chancellor, who shall issue a commission as after directed. *Ibid.*

If any person accused neglects to appear, the information shall proceed notwithstanding. *Ibid.*

Within thirty days from the commencement of every session, the house of lords shall choose by ballot twenty-six members of their house, and the house of commons forty of theirs. The lists shall be delivered to three judges appointed by the courts of king's bench, common pleas, or exchequer, the members of either house returned, who shall not attend, on receiving proper notice, to be transmitted by the speaker, shall forfeit 500*l.* each, unless dead, employed by the crown, or in *East India* affairs. *Ibid.*

The senior judge present shall be the president of the meeting; the commissioners may finally determine, and their proceedings shall not be removed by certiorari. *Ibid.*



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They are to appoint a register who is to deliver the proceedings over to the clerk of the crown in the court of king's bench, to be filed. *Ibid.*

Subpoenas may be issued for the attendance of witnesses. Non-attendance shall be deemed a misdemeanour. Commissioners may send for persons, papers, and records, and may commit prevaricators to the *Fleet* or *Newgate*. *Ibid.*

The recognizances aforesaid shall bind all the goods of the principal party at the time of entering into the same. *Ibid.*

Where the party shall be found guilty, and adjudged to pay a fine, he may be examined by interrogatories in the court of exchequer as to his estate and effects: and if he shall not appear, or refuse to answer, he shall forfeit all his estate, and be committed. *Ibid.*

Depositions of witnesses taken in *India*, and transmitted to the court of king's bench, may be read before the special commissioners, and shall be deemed competent evidence: and the court shall deliver the same to the lord chancellor, in *Hilary*, *Easter*, or *Michaelmas* term. *Ibid.*

Writings received by the court of directors from *India*, and copies of writings sent by the court to their servants there, relative to the charge in the information, may be admitted by the commissioners in evidence. *Ibid.*

The court of king's bench at the prayer of the prosecutor or defendant, may order an examination of witnesses upon interrogatories, and prosecutions must be commenced within three years. *Ibid.*

This act is not to affect the claims respecting the territorial acquisitions. *Ibid.*

By 24 *Geo. 3. c. 34.* the treasury were empowered to allow the company further time for payment of the sums due to the public, but not beyond *January 1, 1786.*

The directors, with consent of the commissioners of the treasury, may accept bills of exchange. *Ibid.*

The clear revenues and profits of the company shall be applied in manner following: first, for making a dividend of 8*l. per cent.* to the proprietors; and then in payment of the debts due to the crown, and in reducing the bond debt to 1,500,000 *l.* and then the dividends by 21 *Geo. 3. c. 65.* shall be resumed. *Ibid.*

By 26 *Geo. 3. c. 16.* the nomination of covenanted servants by the court of directors is declared valid; but no person shall be appointed of the council (except the governor general, or the governor, or president or commander in chief) who has not been twelve years in the civil line of service.

When the members of any of the councils, shall be reduced to two, including the governor; the governor general and council of *Fort William*, and the governors and council of *Fort St. George*, and *Bombay*, may nominate as councillors, such as have been in the civil service twelve years who may hold their former office, and if incompatible with their appointment they may make a deputy thereto. *Ibid.*

The directors may appoint the commander in chief to be governor general, at *Fort William*, or commander in chief of *Fort Saint George*, or *Bombay*, to be president there. *Ibid.*

In extraordinary cases the governor general, and presidents may act without the concurrence of the council: but they are to be responsible for their actions; and this is not to empower them to carry into execution, what could not be legally done without such concurrence, before this act. *Ibid.*

Discretionary powers shall not be exercised by any governor general, or president who shall casually succeed to such office, nor shall those new powers be exercised, in any matter which shall come before the governors and council in their judicial capacity, or in respect to making laws for the good order and civil government of the settlements, or the imposing of taxes. *Ibid.*

The orders of the supreme council shall be expressed to be made by the governor general, or president in council. Vacancies in civil offices shall be supplied from the company's servants in the presidency where the vacancy happens, and no place of 500*l.* per ann. shall be given, but to such as have been in *India* three years. Above 1500*l.* per ann. to such as have been there six years; above 3000*l.* per ann. to such as have been there nine years; and above 4000*l.* per ann. to such as have been there twelve years. *Ibid.*

No person shall hold several offices to a greater amount than he is qualified to hold in a single office. *Ibid.*

Members of the secret committee shall be sworn to act faithfully, and observe secrecy, and they may employ transcribers of their proceedings, who shall likewise take an oath of secrecy. *Ibid.*

His majesty's approbation of the appointment of governor general of *Fort William*, is not necessary. *Ibid.* c. 25.

By 26 Geo. 3. c. 57. within the first thirty sitting days of every session, lists of twenty-six names shall be delivered and sealed up, by the members of the upper house, from which shall be selected twenty-six peers: and in the same period, like lists of commoners shall be delivered in, from which shall be selected forty-members; but persons holding offices under the crown, during pleasure, shall be struck out of the lists; and if the mode of delivering in of lists, hereby proposed, shall be found inconvenient, the houses of parliament may substitute some other mode.

The party accused may challenge thirteen peers and twenty commoners, contained in the lists, as the names are drawing by lot in the presence of the judges, according to 24 Geo. 3. c. 25. the prosecutor may challenge the same number. The first five peers, and the first seven commoners, whose names shall be drawn out, and not challenged, shall be, with the three judges, appointed special commissioners, who are to be sworn to try the information impartially, and determine according to the evidence. *Ibid.*

If the challenger reduce the number to less than five peers and seven commoners, new lists shall be made out. The commissioners may hear and determine informations, and pronounce judgement thereon,

thereon, as at common law for extortion or misdemeanors; and also declare the party convicted incapable of serving the crown or the company. *Ibid.*

Ten commissioners shall be competent to act; the majority shall determine, and the president shall have a casting vote; and if by death or otherwise, the number shall be reduced under ten, a new commission shall be made out. *Ibid.*

Commissioners shall attend during the whole trial, unless absent by leave. If all do not meet, the majority present may adjourn: the cause of absence shall be inquired into, and the absentees may be censured or fined, not more than 500*l.* and be disabled from acting; which fines are to be estreated by the judges into the exchequer. *Ibid.*

Leave of absence may be granted to commissioners, who, however are disqualified. *Ibid.*

During a trial the commissioners shall not adjourn for more than twenty-four hours, except on occasion of Sunday, Good Friday, or Christmas day intervening, or by reason of the numbers being reduced by death or otherwise. *Ibid.*

Commissioners may appoint clerks who may be removed, and the clerks are to be paid by the informer, and defendant, in like manner as the officers of the court of king's bench are paid upon informations there. *Ibid.*

The court of king's bench may issue out warrants for apprehending persons accused of extortion or misdemeanors in the *East Indies*; and the parties informed against shall be committed, or find bail; and if they abscond, and proof be made thereof, on affidavit, the court of king's bench may make an order for the delinquent to surrender himself within a limited time, which must be published three times in the gazette, and fixed up in the *India* house, and if the party doth not surrender himself within the time, the attorney general may file the plea of not guilty, and the information shall thereupon proceed. *Ibid.*

Notice of trial is in like manner to be given; and judgment shall be pronounced by the commissioners, though the parties do not appear; and when they appear, during the trial, they may be committed. Disturbers of the court may also be committed. *Ibid.*

Judgments of the commissioners shall be executed by the court of king's bench, and shall be final. *Ibid.*

Neither this act nor 24 Geo. 3. c. 25. shall deprive persons of any right they are intitled to by law. *Ibid.*

Where demurrers are entered and over-ruled, the party must plead within eight days to the information, or the attorney general may enter such plea in default thereof. *Ibid.*

Informations may be determined in the court of king's bench, upon application by the attorney general, or prosecutor, for that purpose. *Ibid.*

Fines may be recovered from property in the *East Indies*; when the effects in *Britain* are insufficient, by sending a transcript of the estreats under the seal of the court of exchequer, to the supreme court



court of judicature in *Bengal*; and to the mayor's courts at *Madras* and *Bombay*, which courts may levy such fines. *Ibid.*

Examinations in *India* shall be sealed up, and given to the agents of the parties, to be delivered to the clerks of the king's bench. Persons resident in *India* shall be amenable to the courts there; and the governor and council of *Fort Saint George*, and the mayor's court at *Madras*, shall have jurisdiction in all matters civil and criminal, *Ibid.*

Offences against the laws for securing the *East India* trade may be tried in the *East Indies*: causes of seizure may be tried in the *East Indies*. *Ibid.*

Persons whose licences to continue and trade in *India* have expired, shall be subject to the penalties of unlicensed persons: and the powers of seizing unlicensed persons and ships, may be exercised by the governors and councils of the different settlements. *Ibid.*

Persons to whom notice to remove has not been given, may continue in the *Indies* till *January 1, 1788*, but the governors and council may grant licences for two years from *January 1, 1787*. *Ibid.*

Bonds executed in the *East Indies* shall be evidence in *Britain*, and so *e contra*, on proof of the hand-writing of the parties. *Ibid.*

By 26 *Geo. 3. c. 62.* the company may borrow, with the approbation of the treasury, any sum at 3 *per cent.* the annual interest of which does not exceed 36,226*l. 16s.* the additional annuities shall be paid on the same terms as the money borrowed under 23 *Geo. 3. c. 22.* and secured by the public in the same manner.

The company may add to their capital stock 800,000*l.* the subscribers shall be incorporated with the company. Dividends thereon shall be paid as on the present stock, and preference in subscribing for the additional stock, may be given to the present proprietors, so as not to exceed 50*l. per cent.* on the stock now held by them; and if the sum so subscribed be more than sufficient, a proportionable deduction shall be made from each subscription. The court of directors may sell the whole, or part of the stock to one person, with the consent of the treasury. Receipts shall be given for deposits, which may be transferred by indorsement, and shall be forfeited if the subscriptions are not duly paid. *Ibid.*

## Eastland Trade.

By 25 *Car. 2. c. 7.* all persons may trade to *Sweden, Denmark,* and *Norway*, notwithstanding the charter of the *Eastland* company.

Any subject may be of the *Eastland* company, paying 40*s.* for his admittance. *Ibid.*

## Ecclesiastical Persons.

By *Mag. Chart. 9 Hen. 3. c. 1.* the church of *England* shall be free, and have all her rights inviolable.

The custody of bishoprics, and other dignities vacant, shall not be sold by the king. *Ibid.* c. 5. *Nor shall their lands be wasted, by* 3 *Ed.* 1. c. 21.

No ecclesiastical person shall be amerced according to his spiritual benefice, but according to his lay tenement. *Ibid.* c. 14.

By 3 *Ed.* 1. c. 1. prelates shall have double damages, against persons coming to eat or lodge in religious houses, unless invited, and the king will indict.

A clerk convict of felony, delivered to the ordinary, shall not be dismissed without purgation. *Ibid.* c. 2.

Election to all bishopricks, shall be free and without disturbance of any great man, or other person. *Ibid.* c. 3. 9 *Ed.* 2. c. 4. and 9 *Hen.* 4. c. 9.

By 13 *Ed.* 1. c. 41. a writ *contra formam collationis* will lie on the alienation of lands given to a religious house.

By 3 *Ed.* 2. no sheriff or other person shall thresh the corn, or take the goods of the clergy, under colour of buying, against their will.

By 9 *Ed.* 2. c. 3. for laying violent hands upon a clerk, the amends for the peace shall be before the king, and for the excommunication, before a prelate, that bodily penance may be imposed, which may be redeemed for money.

Where the spiritual judge has determined (as in the case of laying violent hands on a clerk) the king's court may discuss the matter. *Ibid.* c. 6.

Clerks during such time as they are in the king's service, and about the exchequer, shall not be compelled to keep residence at their benefices. *Ibid.*

The examination of the ability of a clerk presented to a church, belongs to a spiritual judge. *Ibid.* c. 13.

By 17 *Ed.* 2. *stat.* 1. c. 14. the king shall have the escheats of bishop's tenants attainted of felony, in time of vacation.

By 1 *Ed.* 3. *stat.* 2. c. 2. & c. 10. the king shall not seize the temporalities of bishops, without cause. Nor shall he take of them pensions, prebends, churches or corodies, but where due. Also 14 *Ed.* 3. *stat.* 4. c. 3.

By 14 *Ed.* 3. *stat.* 1. c. 17. parsons, vicars, and wardens of chapels, shall have their writs of *juris utrum*.

By 14 *Ed.* 3. *stat.* 4. c. 4. the temporalities of bishops, in time of vacation, may be farmed to the dean and chapter, and if they refuse, escheators shall answer to the king what appertains to him, without doing waste.

The chancellor and treasurer shall lease the temporalities of bishops, during vacation, to the dean and chapter, without making any fine. *Ibid.* c. 5.

By 18 *Ed.* 3. c. 6. no commissions shall be granted to temporal justices, to enquire of excessive process awarded by spiritual judges.

By 25 *Ed.* 3. *stat.* 3. c. 6. temporalities of bishops shall not be seized for contempts, but a reasonable fine shall be set.

Cognizance

Cognizance of the voidance of benefices belongs to the ecclesiastical judge. *Ibid.* c. 8.

By 50 *Ed.* 3. c. 1. the liberties of the church are confirmed; and by c. 5. none shall arrest priests or clerks doing divine service.

By 1 *Ric.* 2. c. 13. they shall not be indicted or molested by duress, for suing in the spiritual court for tithes.

Where the defendant in an action for goods taken away, makes his title for tythes due, the general averment shall not be taken, without shewing specially how the same was lay chattel. *Ibid.* c. 14.

He that arrests any priest, in churches or churchyards, shall be imprisoned, ransomed, and make agreement to the party. *Ibid.* c. 15.

By 1 *Hen.* 7. c. 4. priests and clerks shall be punished by their ordinaries, for fornication, incest, or any other incontinency, by committing them to prison, and no action for false imprisonment.

By 21 *Hen.* 8. c. 13. and 1 *Eliz.* c. 1. no spiritual person shall take lands to farm, on forfeiture of 10*l.* a month and such leases to spiritual persons, or to their use, shall be void. But they may farm the temporalities of bishops during vacation, or pending a traverse of office concerning their freehold.

They shall not buy, to sell again for profit, in any market, corn, cattle, or any kind of merchandize, on forfeiture of treble the value; but they may buy horses or cattle for the use of themselves and their household, and sell them again, without fraud. *Ibid.*

The masters of religious houses, colleges, hospitals, or the like, may occupy their demesne lands for maintenance of their houses; and spiritual persons not having sufficient glebe, may take in farm for maintenance of their houses. *Ibid.*

The first benefice with cure, of eight pounds yearly value, shall become void, on institution and induction into any other with cure; and the patron may present another, as on death or dispensation, and any licence, union, or other resignation to the contrary, shall be void. *Ibid.*

Procuring any such dispensation from *Rome*, incurs forfeiture of 20*l.* and of the profits of such benefice. *Ibid.*

Spiritual men of the king's council, may take dispensation to hold three benefices with cure; and the chaplains of the king, the royal family, peers, their brethren, and sons, and knights, and doctors of law and divinity, may have two benefices with cure. *Ibid.*

Spiritual persons shall reside personally at one of their benefices, and if they absent themselves wilfully for one month together, or for two months at several times in one year, they shall forfeit for every such default 10*l.* *Ibid.*

Procuring at the court of *Rome*, or elsewhere, any dispensation, or licence, to be non-resident, to forfeit 20*l.* *Ibid.*

Spiritual persons discharged of residence, are those who may be in the king's service beyond sea, or scholars abiding for study at any university, or chaplains to the king, the nobility, the judges, the attorney or the solicitor general. *Ibid.* and 25 *Hen.* 8. c. 16.



The king may give licence to all his chaplains for non-residence.  
21 Hen. 8. c. 13.

No spiritual person beneficed with cure, shall take in ferm, any parsonage or vicarage: but deanries, prebendaries, and the like, shall not be deemed benefices with cure. *Ibid.*

No spiritual person shall keep a tan house, or brew-house, except for their own use, on pain of 10*l.* a month. *Ibid.*

Spiritual persons having possessions in right of their houses, above the yearly value of 800 marks, may use as much of their lands, as shall be sufficient for pasturing their cattle, and growing of corn for their own use; and they may farm any house, having only orchards and gardens, in any town, for their own residence. *Ibid.*

By 25 Hen. 8. c. 20. revived by 1 Eliz. c. 1. no man shall be presented to the see of *Rome* for the dignity of a bishop.

Election of an archbishop or bishop, shall be by licence from the king, under the great seal, and letter missive to the dean and chapter, naming the person they shall elect, and for default of election, the king shall nominate a bishop by his letters patent. *Ibid.*

The bishop elect shall be consecrated; election, according to this act, shall be valid, and the person intitled to temporalities. *Ibid.*

Refusing to elect, or consecrate a bishop named, incurs the penalty of *præmunire*. *Ibid.*

By 26 Hen. 8. c. 14. also revived by 1 Eliz. c. 1. a bishop may present two parsons to the king, to appoint one of them to be his suffragan, who may have two benefices.

Spiritual persons in *Richmond* in *Yorkshire*, shall take no pension or portion, after decease of the inhabitants, but only according to the statute 21 Hen. 8. c. 5. for probate of testaments, on pain of *præmunire*. *Ibid.* c. 15.

By 28 Hen. 8. c. 13. spiritual persons, above the age of forty years, shall not be excused residence upon their benefices, by being students within the universities; the head rulers of colleges there, and also the lecturers in any of the liberal sciences, the teachers of *Hebrew*, *Chaldee*, or *Greek*, and persons going to take the degree of doctor, excepted.

And beneficed persons, under forty years of age, are not to enjoy the privilege of non-residence, unless they attend the lectures, and keep the exercises ordained. *Ibid.*

By 33 Hen. 8. c. 28. the chancellor of the duchy of *Lancaster*, the treasurer of the king's chamber, and the groom of the stole, may retain one chaplain, to be non-resident; but they must resort to their cure twice a year, for eight days each time, on pain of 40*s.*

The chapter of *Litchfield*, shall be the chapter of *Litchfield* and *Codentry*; and the diocese of *Chester* and *Man* shall be added to the province of *York*. *Ibid.* c. 30 & 31.

By 34 and 35 Hen. 8. c. 15. the dean and chapter of *Wells*, shall be the chapter of the bishop of *Bath* and *Wells*.

By 37 Hen. 8. c. 17. revived by 1 Eliz. c. 1. doctors of the civil law, notwithstanding their being laymen, or married, may exercise ecclesiastical jurisdiction.

By

By 2 & 3 Ed. 6. c. 21. and 5 & 6 Ed. 6. c. 12. revived by 1 Jac. 1. c. 25. the marriage of spiritual persons shall be adjudged lawful, and children born in such marriage, shall be legitimate, and inheritable. But such marriage must be by asking in church, and according to the ceremony in the book of common prayer.

By 8 Eliz. c. 1. the manner of electing and consecrating bishops, is confirmed.

By 1 Jac. 1. c. 3. bishops are disabled from conveying their lands to the crown.

By 6 Car. 1. c. 11. no new court shall be erected in England, with the like power as the high commission court; but all such commissions, and all acts and decrees thereunder, shall be void.

By 13 Car. 2. stat. 1. c. 12. the archbishops and bishops, may exercise ecclesiastical jurisdiction, in all matters belonging thereto. But they shall not tender the oath, *ex officio*, whereby any person may be charged to purge or accuse himself.

By 12 Ann. stat. 2. c. 12. where a rector or vicar presents a curate to the ordinary to be licensed, the ordinary may appoint a stipend for such curate, according to the cure, not exceeding 50*l.* nor less than 20*l.* *per annum*.

Any person procuring for money or reward, the next presentation to any benefice, and being presented or collated thereupon, such agreement shall be deemed simoniacal, the presentation void, the person disabled to enjoy the same, and subject to the penalties inflicted by the laws ecclesiastical. *Ibid.*

By 17 Geo. 3. c. 53. the incumbent of any ecclesiastical living, whereon there is no house of habitation, or one that is so ruinous or mean, that one year's neat income will not build or repair it, after an estimate, on oath, laid before the ordinary and patron, may borrow not more than two years income, and mortgage the living for twenty-five years, or till repaid, with interest and costs, which mortgage shall bind the succeeding incumbents.

The mortgagee is to execute a counterpart, which is to be registered by the register of the diocese for 5*s.* to pay 1*s.* for a search, and a copy to be evidence. *Ibid.*

On failure of payment of principal and interest, forty days after due, the mortgagee may distrain. *Ibid.*

The money borrowed, to be paid to a person nominated by the ordinary, who is to give security, and contract and pay for the work, and the surplus is to be laid out in lasting improvements by order of the ordinary, patron, and incumbent. *Ibid.*

The ordinary to enquire into the condition of the buildings, when the incumbent entered, every incumbent to pay the interest yearly, and five *per cent.* *per ann.* of the principal, and if not resident twenty weeks in the year, to pay 10*l.* *per cent.* *per ann.* of the principal; and on paying five *per cent.* only to produce a certificate of two ministers of adjoining parishes of his residence, and when the buildings are compleated, he is to ensure them against fire; on death or avoidance, the annual payments to be in proportion between the late and present incumbent. *Ibid.*

If the living is worth 100*l. per ann.* or more, and has no house, or a ruinous one, and the incumbent is not resident for twenty weeks in any year, the ordinary may (if the incumbent neglects to make application for the purposes aforesaid) with the consent of the patron, procure a plan and estimate, and proceed to mortgage, in such manner as the parson is directed by this act. *Ibid.*

All money recovered or received from the former incumbent's representatives, for dilapidations, to go in improvements, and where buildings are necessary, the ordinary, patron, and incumbent may purchase a house within one mile of the church, and land not above two acres for each 100*l. per ann.* and the money may be raised by the sale of the glebe or tythes, by joint consent. *Ibid.*

Governors of queen Ann's bounty may lend 100*l.* to each living under 50*l. per ann.* (to promote this act) interest free; and if above 50*l. per ann.* may lend two years value on interest at four *per cent.* and the universities of Oxford or Cambridge, being patrons, may advance money for the purposes of the act, interest free; and if the patron is a minor, idiot, lunatick, or feme covert, the guardian, committee, or husband, may act, and it shall be binding. *Ibid.*

All writings under this act are to be free from the stamp duty. If a corporation be patron, all acts by them to be under their common seal; where the rector or vicar nominates to a chapel or perpetual cure, his patron to consent. Disputes as to residence to be settled by the ordinary; and the person laying out the money, may be allowed five *per cent.* for so doing. *Ibid.*

If the crown be patron, and the living above 20*l. per ann.* in the king's books, the first lord of the treasury is to consent; under 20*l. per ann.* the lord chancellor, and in the duchy of Lancaster, the chancellor thereof. *Ibid.*

If an archbishop, bishop, or ecclesiastical corporation, sole or aggregate, be lord of the manor, they may grant the waste in perpetuity to build on, leaving sufficient for the commoners, with the consent of the lessees. *Ibid.*

By 21 Geo. 3. c. 66. the incumbent of every living, whereof the glebes, tythes and other profits have been, or shall be mortgaged, for the purposes of the above act, shall pay to the mortgagee, besides interest, five *per cent. per ann.* of the principal, if resident, or ten *per cent.* if non resident.

By 24 Geo. 3. c. 35. the bishop of London, or any other bishop by him appointed, may admit aliens to the order of deacon or priest, without their taking the oaths of allegiance.

But persons so ordained, shall not exercise their office in his majesty's dominions, and the name and country of the person ordained shall be inserted in the letters testimonial. *Ibid.*

By 26 Geo. 3. c. 84. the archbishop of Canterbury or York, with such other bishops as they shall think fit to assist, may consecrate subjects of foreign states, bishops, without the king's licence for the election, or requiring them to take the usual oaths; but not without first obtaining his majesty's royal licence for performing the consecration.



No persons so consecrated, shall thereby be enabled to exercise their offices in his majesty's dominions. *Ibid.*

Certificate of consecration shall be given by the archbishop. *Ibid.*

## Egyptians.

By 22 *Hen. 8. c. 10.* persons calling themselves *Egyptians* shall not be suffered to come into the realm, and they shall depart the realm in fifteen days; on pain of imprisonment, and forfeiture of their goods.

By 1 & 2 *Phil. & Mar. c. 4.* persons importing any *Egyptians* into this kingdom, shall forfeit 40*l.*

## Ejectments.

By 11 *Geo. 2. c. 19.* tenants to whom declarations in ejectment are delivered for any lands shall give their landlords notice thereof; under penalty of three years rent; and the landlord may make himself defendant either by himself, or by joining with the tenant.

# Elections Ecclesiastical.

By 3 *Ed. 1. c. 5.* 9 *Ed. 2. c. 4.* and 9 *Hen. 4. c. 9.* all elections ecclesiastical shall be free.

By 31 *Eliz. c. 6.* he who takes any reward for his voice in electing any fellow, scholar, or other person into any church, college, school, hospital or like place, shall forfeit his own place, and the election be void.

Any person giving or taking any money, reward or the like for resigning his place, in any such situation, or for any other to be placed therein; shall forfeit double the sum, and be rendered incapable. *Ibid.*

At every such election this statute, and the statutes of the house, shall be read; on forfeiture of 40*l.* *Ibid.*

Presentation, collation, or the like to any benefice or living ecclesiastical, for any reward, profit or the like, shall be void, and the crown shall have that turn; the person receiving such reward shall forfeit the double value of one year's profit, and the corrupt presentee is disabled to take the same. *Ibid.*

Admission, institution, induction and the like for reward, shall forfeit double the value of one year's profit; shall be void; and the patron shall present as if such admitted person were dead. *Ibid.*

No title shall be by lapse upon an avoidance under this act until six months after notice to the patron. *Ibid.*

Taker of reward for exchanging, or resigning any benefice or the like shall lose double the value of the sum, and of the year's profit. *Ibid.*

Taker of reward for giving orders, or licence to preach, shall forfeit 40*l.* the party corruptly ordained, shall forfeit 10*l.* and be disabled to take any benefice within seven years. *Ibid.*

## Entry.

By 32 *Hen.* 8. c. 33. disseisor dying seised, takes away no title of entry from the disseisee or his heir, unless the disseisor had peaceable possession, five years, without entry or continual claim.

## Error.

By 52 *Hen.* 3. c. 20. none but the king shall hold plea of false judgment.

By 1 *Ed.* 3. c. 4. in writ of false judgment, an averment that the record is otherwise, shall be received of the country.

By 31 *Ed.* 3. c. 12. the lord chancellor and treasurer with the assistance of the justices, and calling to them the barons of the exchequer shall examine and correct erroneous judgments given in the exchequer.

By 9 *Ric.* 2. c. 3. he in the reversion shall have an attainr or writ of error upon a false verdict found, or an erroneous judgment given against the particular tenant.

Tho' he in the reversion alledgeth that the particular tenant was of covin with the demandant, the particular tenant may traverse the covin. *Ibid.*

By 27 *Elix.* c. 8. in actions of debt, detinue, covenant, ejectment or the like first begun in the king's bench (other than where the crown is party) the writ of error shall be before the other judges, or six of them, in the exchequer chamber: and erroneous judgments there may be examined in parliament.

By 31 *Elix.* c. 1. the not coming of the lord chancellor and lord treasurer, at the day of adjournment, shall be no discontinuance of writs of error from the court of exchequer or king's bench; but no judgment shall be given, unless both be present.

Any three of the judges and barons may receive and continue writs of error, from the king's bench. *Ibid.*

But no judgment shall be given in such error, unless by the full number of six justices and barons. *Ibid.*

The party against whom judgment has been given in the king's bench, may at his election sue in parliament for reversal of the same. *Ibid.*

By 3 *Jac.* 1. c. 8. no execution shall be stayed by writ of error or supersedeas thereon, in any action of debt upon obligation for payment of money only, or for rent, or upon contract, unless

unless the plaintiff in error be first bound by recognizance, with two sureties, for the debt, costs and damages.

By 13 *Car. 2. c. 2.* no execution shall be stayed by writ of error or supersedeas thereon, after verdict and judgment, in any action of debt upon the stat. *Ed. 6.* for not setting forth tythes, nor in actions upon promise for payment of money, trover, covenant, detinue, and trespass, in any of the courts at *Westminster*, or in the counties palatine, unless such recognizance be first acknowledged, as above.

If judgment, given after verdict, be affirmed, the defendant in error shall recover double costs for the delay of his execution. *Ibid.*

By 16 *Car. 2. c. 2.* the not coming of the lord chancellor or lord treasurer at the day of the return of the writ of error, shall not abate or discontinue the same; but no judgment shall be given in such writ, unless both the lord chancellor and treasurer be present.

By 16 & 17 *Car. 2. c. 8.* no execution shall be stayed by writ of error or supersedeas thereon, after verdict and judgment, unless such recognizance be first acknowledged, according to 3 *Jac. 1.* in any action personal whatsoever, and in writ of dower or ejectment.

After affirmance in ejectment, the first court may award a writ to enquire of the mesne profits, and of waste. But this act shall not extend to any writ of error brought by an executor or administrator, nor to any action popular, nor action upon a penal statute (except for tithes) nor to any indictment, information or the like. *Ibid.*

By 20 *Car. 2. c. 4.* judgment may be given in writs of error in the presence of the lord keeper, notwithstanding the vacancy of a lord treasurer.

By 4 *Ann. c. 16.* on quashing writ of error the defendant shall recover his costs, as if the judgment had been affirmed.

## Escape.

By 16 *Geo. 2. c. 31.* assisting a prisoner to escape who was committed for treason or felony, shall be deemed felony; and if so committed for petty larceny, shall be adjudged a misdemeanor.

## Escheators.

By 28 *Ed. 1. c. 19.* where the escheator or sheriff has seized other mens lands into the king's hands without cause, after it is removed out of his hands, by such reason, the issues shall be fully restored to the owner.

By 14 *Ed. 3. c. 8.* escheators shall be chosen by the chancellor, treasurer, chief baron and justices, and shall not continue in office above a year. *Coroners* must likewise be freeholders.

By



By 34 *Ed. 3. c. 13.* inquests of office taken by escheators shall be of good and lawful men, openly and by indenture.

By 36 *Ed. 3. c. 13.* an escheator shall have no fee out of lands of the king's wards, nor commit any waste therein: claimant of lands seized may traverse the office, and shew his right before the king in chancery.—*Also 8 Hen. 6. c. 16.*

By 42 *Ed. 3. c. 5.* every escheator must have 20*l.* of land in fee, and execute his office in person, *also 12 Ed. 4. c. 9.*

By 18 *Hen. 6. c. 6.* no lands shall be granted before the king's title found by inquisition. And the escheator shall return the office found before him into the *chancery* or exchequer within a month. *c. 7.*

By 23 *Hen. 6. c. 17.* escheators shall take their inquest of office, within the month after delivery of the writ, and shall not take any sum for executing such writ in one county, above 40*s.* in the whole; on pain of 40*l.*

By 1 *Hen. 8. c. 8.* no office shall be returned into the king's courts but what is found by a jury, and every commissioner shall have lands of the yearly value of 40 marks.

Any person traversing the said office, may farm the lands, finding surety and shewing evidence in chancery. *Ibid. c. 10.*

By 2 & 3 *Ed. 6. c. 8.* the interest of others shall be saved tho' they be not found by office; and any untrue office may be traversed, and restitution had.

## Essoigns.

By 52 *Hen. 3. c. 13.* after issue joined in dower, *darrein presentment*, or *quare impedit*, one essoign or one default only is to be allowed; and if the party come not, the inquest is to be taken, and judgment given.

No one need to swear to warrant his essoign in the county, hundred, or court baron. *Ibid. c. 19.*

By 3 *Ed. 1. c. 42.* and 13 *Ed. 1. c. 28.* the tenant shall not be essoigned after appearance, in a writ of assize, attainments, and *juris utrum.*

There shall be but one essoign to coparceners and joint-tenants, and no voucher. 3 *Ed. 1. c. 43.*

Essoign *de ultra mare* shall be turned to a default, if it be found that the defendant was in *England* the day of summons and three weeks after. *Ibid. c. 44.*

By 6 *Ed. 1. c. 8.* if the defendant being essoigned as in the king's service doth not bring in his warrant at the day, he shall render the plaintiff damages of twenty shillings or more, for the day.

Husband and wife, being impleaded, shall not vouch by essoign. *Ibid. c. 10.*

By 13 *Ed. 1. c. 17.* *essoign de malo lecti*, shall be a default, if it be found that he was not sick indeed, and such *essoign*, shall not be in a writ of right between two claiming by one descent.

One *essoign* shall be allowed the day after inquest, but not afterwards, *prece partium.* *Ibid. c. 27.*

One *essoign* only shall be allowed as well for demandant as tenant, after appearance in writs of assise. *Ibid. c. 28.*

By 12 *Ed. 2. stat. 2.* it does not lie where lands are taken into the king's hands; the party distrained by his lands; any judgment is given; the party seen in court; where the sheriff is commanded to make the party appear or the like; and *essoign de servitio regis* lieth not in attainments, *novel disseisin*, *appeals*, or where the party is a woman; in a writ of dower; where the party hath an attorney in his suit; the summons is not returned or the like.

## Estreats.

By 16 *Ed. 2.* in *estreats* of the rolls in chancery, the accounts shall not be intermixed, but kept separate under proper heads, which shall be delivered annually at the exchequer.

By 42 *Ed. 3. c. 9.* *estreats* shall be shewn to the party indebted, and what is paid be totted: sheriffs shall account by *estreats* totted, and no other.

By 7 *Hen. 4. c. 3.* *estreats* of issues and amerciaments shall express in certainty, the cause, term, and particulars.

By 22 & 23 *Car. 2. c. 22.* all fines, recognizances, *estreats* and other forfeitures in the king's bench or common pleas, shall be *estreated* twice every year into the exchequer.

By 4 *Will. & Mar. c. 24.* officers shall deliver returns of *estreats* into the exchequer on oath.

## Evidence.

By 7 *Jac. 1. c. 12.* no tradesman's shop book shall be evidence of a debt, unless action is brought for the same within a year, but this shall not extend to intercourse between trader and trader.

## Exceptions, Bills of.

By 13 *Ed. 1. c. 31.* if the justices refuse to allow an exception, they shall seal a bill of it, at the party's request.

## Exchequer.

By 51 *Hen. 3. stat. 5.* all sheriffs, bailiffs, *eschatores* and other officers are to account in the exchequer before the treasurer and barons.

rons. About the feast of *St. Margaret*, before the close of the *Exchequer*, search is to be made whether any sheriff or bailiff have failed to account that year, and if any have, the sheriff's account is to be first heard after *Michaelmas*; but if a bailiff, he shall be summoned, or distrained to account at a day certain.

By 10 *Ed. 1.* the bodies of shires shall be written in a certain annual roll, and read every year on the accounting of sheriffs; in these annual rolls the profits of the counties shall be written, two knights in every county shall be present at the delivery of tallies, who are to send one part indented to the exchequer. Inquisitors are to be appointed in every county of debts due, of what paid, and what not: and no suit shall be prosecuted in the exchequer house, unless it concerns the king and his officers there.

By 28 *Ed. 1. stat. 3. c. 4.* no common pleas shall be held in the exchequer against the form of the great charter.

By 37 *Ed. 3. c. 4.* a clerk of the remembrance shall sit against the clerk of the pipe to imbreivate the discharges made in the pipe, and to cause thereupon all process to cease.

By 1 *Ric. 2. c. 5.* if any officer in the exchequer make out a process for a debt already paid, he shall forfeit his office, and be imprisoned until he satisfy the party.

By 5 *Ric. 2. c. 9.* persons impleaded in the exchequer may plead their reasonable discharge, without suing any writ.

Parcels of accounts in the exchequer shall be made as full as they were accustomed, but the accounts shall be more speedily heard than they were before; two clerks shall be assigned to make parcels of accounts in the exchequer; and accounts of *nichil* shall be put out of the exchequer, and the accountants discharged by their oath. *Ibid. c. 11, 12, & 13.*

The clerk of the pipe. and the remembrancers of the exchequer shall be sworn for the entry of all writs of the great seal or privy seal for discharge of demands in the exchequer, and shall make a schedule of such discharges to each other. *Ibid. c. 14.*

The remembrancer in whose office the account is, on tenor of record of judgment of livery sent by *Mittimus* into the exchequer, shall discharge the suit by indorsement thereon. The clerk's fee in the exchequer shall be only two shillings for making a commission or record of *nisi prius*. *Ibid. c. 15 & 16.*

By 13 *Ric. 2. stat. 1. c. 14.* no bonds of the double, shall be made in exchequer for the king's debt.

By 1 *Ric. 3. c. 14.* accountants for dismes, are not chargeable to other men's suits in the exchequer,

By 1 *Jac. 1. c. 26.* no writs or the like shall issue out of the remembrancer's office in the exchequer upon supposition only, but it must be upon just ground; and the treasurer's remembrancer shall satisfy every person injured upon a bare supposition. The remembrancer may likewise issue processess, for the discovery of tenures, by order of the court.

By 8 & 9 *Will. 3. c. 28.* tellers of the exchequer, on receipt of money on loan or the like shall throw down a bill into the tally court



court for a tally to be struck for the same, and be charged with the sum received.

No teller shall charge himself with receipt of monies, but in the presence of officers of the tally court, nor give down a bill for a tally till the money is paid; and no teller or officer shall dispose of any money out of his office, without an order from the auditor. *Ibid.*

The penalty on tellers offending herein is loss of office, incapacity, double damages, and costs, and on clerks, double damages and costs.

Officers of the tally court shall attend daily, *Sundays* and *Holidays* excepted; and in case of sickness, their room to be supplied; acting otherwise is double damages and costs. *Ibid.*

Auditor's first clerk, clerk of the pells, and teller's officers shall take an oath of fidelity. Money shall not be paid out of the exchequer but by authority of the king, or parliament. A table shall be set up at the auditor's office shewing the repayment of the loans. The auditor shall enroll all letters patent, draw orders for issuing the king's money, and keep entries thereof; also certify the teller's accounts weekly, make imprest certificates, and transmit the rolls. The clerk of the pells shall enroll letters patent and letters of privy seal for issuing the king's treasure, and enter all receipts and issues at the exchequer, and all the officers shall demean themselves according to their duties. *Ibid.*

Money shall be kept in chests under three locks and keys, one to be kept by the teller, one by the clerk of the pells, and the other by the eldest of the two deputy chamberlains. *Ibid.*

No debentures (except navy, ordnance, forces or the like) shall be paid on delivery. Tellers shall have money left with them every morning to pay debentures that day. Money shall be weighed and then secured in chests. Payments shall not be deferred. Clerk of the pells not attending, the eldest clerk shall keep the keys: and no money shall be taken out, but in the presence of the teller. *Ibid.*

The auditor once in twenty-eight days shall visit every teller's cash, and once in three months examine their vouchers. *Ibid.*

By 23 Geo. 2. c. 26. fees upon *nisi prius* records issuing out of the exchequer, shall be no more than upon the like records issuing out of other courts.

By 4 Geo. 3. c. 10. the barons of the exchequer may discharge recognizances estreated there, upon affidavit and petition, without any *quietus sued*, so as not to discharge any other debt due to the crown.

By 23 Geo. 3. c. 82. the offices of the two chamberlains, tally cutter, and usher of the exchequer, after the death of the present possessors, and those entitled after them shall be abolished.

Upon their deaths an indented cheque receipt shall be substituted instead of the tally now used. *Ibid.*

Upon the death of the present usher, and of his successor, such necessary articles which have been provided by the usher, shall be supplied by the presiding officer in each office. *Ibid.*

After

After the determination of the interest of the tellers, the office of second clerk shall be abolished. *Ibid.*

After the death of the present auditor, clerk of the pells, tellers, or chamberlains, the payment of gratuities and fees to the officers shall cease, and instead thereof there shall be paid to the auditor 4000*l.* *per ann.* to his chief clerk 1000*l.* *per ann.* to the clerk of the pells 3000*l.* *per ann.* to his first clerk 800*l.* *per ann.* and the first clerk's clerk 200*l.* *per ann.* to the tellers each 2700*l.* *per ann.* and their first clerks each 1000*l.* *per ann.* after which officers receiving fees (except as after directed) shall forfeit their offices. *Ibid.*

On death or vacancy of tellers or chamberlains their proportion of fees shall be disposed of in payment of the sums directed to be paid; and in case of the death of the tally cutter before the chamberlains, his office shall be executed by his deputy, who is to be satisfied out of the fees. *Ibid.*

Taxes shall be paid out of the monies arising by fees. *Ibid.*

Fees allowed shall continue to be paid to the first clerk to the clerk of the pells, who is to account for the same to the treasury, who are thereout to pay the herein beforementioned salaries, and to appropriate the surplus (if any) to the sinking fund. *Ibid.*

Houses appropriated for the use of the auditor, and other officers, shall, after their deaths, be vested in his majesty; and no office in the exchequer, shall be granted contrary to this act. *Ibid.*

By 26 *Geo.* 3. c. 99. the treasury shall pay fees, on pensions transferred from the treasury and pension office to the exchequer, to the officers thereof: and the officers of the exchequer may demand fees on pensions granted or to be granted since the last act.

On death of the auditor or tellers, the fees shall be applied to the purposes of the above act. *Ibid.*

## Excise and Customs.

### *General Laws relative to the Customs.*

By 27 *Ed.* 3. stat. 2. c. 26. credit shall be given to letters brought by merchants aliens, or to their oaths, of the value of their goods; and sheriffs, mayors, or other officers, wrongfully meddling with the goods of such merchants, shall pay quadruple damages.

By 38 *Ed.* 3 c. 8. the owner of a ship shall not forfeit it for a small thing therein not customed, without his knowledge.

By 14 *Ric.* 2. c. 10. no customor or comptroller shall have any ship of his own, nor meddle with the freight of ships; and he shall not enjoy such office for life, but only during the king's pleasure. *In the latter respect, the 17 Ric.* 2. c. 5 *is to the like effect.*

By 1 *Hen.* 4. c. 13. customers and comptrollers shall be resident upon their offices, without making any deputy.

By

By 4 *Hen. 4. c. 20.* merchandizes entering in, or going out, shall be charged and discharged in the great ports, and not in creeks, upon pain of forfeiture.

Searchers shall not let their offices to ferm, nor occupy them by deputy, nor take more than shall be ordained to them, nor be host to any merchant or mariner. *Ibid. c. 21.*

By 11 *Hen. 4. c. 2.* no common innkeeper in any city or borough, shall be a customer, comptroller, or searcher there.

By 13 *Hen. 4. c. 5.* all customers, comptrollers, and collectors, shall be constantly resident upon their offices, nor be absent three weeks, unless commanded of record.

By 3 *Hen. 6. c. 3.* customer, collector, or comptroller of the king's customs, concealing the same when entered and paid, shall forfeit the treble value of the merchandizes.

By 11 *Hen. 6. c. 15.* customers and comptrollers shall deliver warrants to discharge merchants that have paid their custom.

By 20 *Hen. 6. c. 5.* no customer, comptroller, or his servant, shall have any ship of his own, nor use merchandize, keep an inn, or a wharf, or be a factor to another.

By 28 *Hen. 6. c. 5.* officer of the customs making an arrest or distress upon any ships for an unlawful cause, shall pay 40*l.* on conviction.

By 31 *Hen. 6. c. 5.* no letters patent of the offices of searcher, gauger of wine, aulneger, finder, weigher, collector or comptroller, shall be made but by warrant from the treasury.

By 1 *Hen. 7. c. 2.* and 11 *Hen. 7. c. 14.* an alien made denizen shall pay the same customs as before;

By 1 *Hen. 8. c. 5.* one *Englishman* may custom goods in another *Englishman's* name, and a merchant stranger may custom goods in another's name.

Customing goods, whereby the king loseth his custom, forfeits the goods, and also the value of the goods, to the party grieved. *Ibid.* and by 2 & 3 *Ed. 6. c. 22.* he shall forfeit all his goods and chattels.

No citizen of *London*, inhabitant of *Cinque Ports*, or other person being free of butlerage, shall custom the wines of others. 1 *Hen. 8. c. 5.*

By 14 & 15 *Hen. 8. c. 4.* an *Englishman*, sworn subject to a foreign prince, shall pay such customs as aliens do; and if they return and dwell again in the realm, they shall pay such customs as other *Englishmen*.

By 22 *Hen. 8. c. 8.* tables of the custom duties shall be set up in every city or town where demanded; on pain of 5*l.* in every city, and 40*s.* in every town, for every month's neglect herein.

The scavage tables in *London* shall be approved and signed by the chancellor, treasurer, president of the council, lord privy seal, lord steward, and the two chief justices, or four of them. *Ibid.*

By 1 *Eliz. c. 11.* no customable goods shall be laden or discharged but in the day light, and in open place where there is a customer,  
upon



upon pain of forfeiture. Masters of vessels receiving or discharging the loading otherwise, forfeit 100*l.* and they are to give notice to the customer of their departure under the like penalty.

No master of a ship shall discharge the same before he hath certified the custom, upon pain of 100*l.* and no man shall enter goods in the customer's book, but in the owner's name. *Ibid.*

The penalty of an officer of the custom-house concealing an offence, is 100*l.* *Ibid.*

This act not to prejudice the inhabitants of *Anglesey, Flint, and Caernarvon.* *Ibid.*

*The particular duties, payable upon the importation and exportation of goods, are noticed under the proper head, this division of the present title being confined to the general laws relative to the customs.*

By 12 *Car. 2. c. 19.* if any persons convey away any goods without entry and agreement for the custom, the chief magistrate of the port may grant a warrant of assistance to search for and seize the same within a month after.

By 13 & 14 *Car. 2. c. 11.* for preventing frauds and abuses in the customs, no ship arriving from beyond sea, shall be above three days coming from *Gravesend* to the place of her discharge in the *Thames*, unless hindered by winds or otherwise, and shall make true entry of the loading on forfeiture of 100*l.*

Captains, or other officers, shall take no goods on board ships outward bound, before entry thereof made at the custom-house, on the like pain. *Ibid.*

Officers of the customs may enter ships, and stay aboard to search: the penalty on embezzling or concealing goods is 100*l.* and persons beating or abusing the officers shall by the next justice of peace be committed to prison, and be fined not above 100*l.* *Ibid.*

Foreign built ships shall not have the privilege of *English* ships. *Ibid.*

No goods shall be water borne or landed, but in the presence of an officer of the customs, nor carried from one port to another, without a coquet. Officers of any port making false certificate, shall lose their employment, be incapacitated, and forfeit 50*l.* and any person counterfeiting a certificate, shall forfeit 100*l.* *Ibid.*

Owners of goods secretly conveyed beyond sea, uncustomed, shall forfeit the double value of the goods. *Ibid.*

For preventing frauds in colouring strangers goods, the merchant shall subscribe a bill of every entry. *Ibid.*

There shall be no party jury in actions concerning the customs. Allowances to merchants for damage in goods, shall be made upon oath. Goods brought from or carried into *Scotland*, shall pass through *Berwick* or *Carlisle*. The king may appoint further ports, except *Hull*, where merchandize shall be landed, and custom paid. *Ibid.*

None shall seize any ship or goods, for non-payment of customs, but officers of the customs. *Ibid.*

Informer not prosecuting to effect, officers of the customs may bring action by way of *devenerunt*; and no informer shall compound under a third part of the appraised value. *Ibid.*

Customers taking any bribe, or conniving at false entries, forfeit 100*l.* and are disabled. Persons revealing their offences to the lord treasurer within two months shall be acquitted. *Ibid.*

Foreign goods shall be landed at the most convenient keys, and there weighed, numbered, and marked. No packet boats shall carry goods, on pain of 100*l.*

No wines other than *Rhenish*, no sort of spices, grocery, tobacco, pot ashes, pitch, tar, salt, rosin, or olive oil, shall be imported from the *Netherlands* or *Germany*, on forfeiture of the goods and ship. *Ibid.*

*French* ships not paying the duty shall forfeit 10*l.* and pilots bringing such goods shall forfeit 40*l.* *Ibid.*

On seizure by the navigation act, the defendant may have a commission, and time to examine witnesses beyond sea. *Ibid.*

No writ of delivery shall be granted out of the court of exchequer for goods seized, but on good security, and for goods perishable only. *Ibid.*

One moiety of the forfeitures are to the king, and the other to the informer. All persons shall be aiding to officers of the customs, and be saved harmless; and officers of the customs shall be sworn for their faithfulness therein. *Ibid.*

Persons employed about the customs shall not demand more than the fees due by law, nor put any person out of his turn, on pain of double costs and damages. *Ibid.*

Vessels exporting to the *Mediterranean*, that have not two decks, sixteen pieces of ordnance, and two men to each gun, shall pay 1*l.* per cent. above the rates of tonnage and poundage. Vessels exporting fish excepted. *Ibid.* Discontinued by 24 Geo. 3. c. 16.

By 2 Will. & Mar. stat. 2. c. 10. an officer of receipt for customs given upon *East India* goods, tobacco and the like, shall be within the city of *London*.

By 4 Will. & Mar. c. 5. brandy imported in casks of less quantity than 60 gallons shall be forfeited.

No foreign lustrings shall be imported without notice and licence, upon forfeiture thereof. *Ibid.*

The penalty for insuring goods prohibited, or goods without custom is 500*l.* *Ibid.* c. 15.

By 6 Will. & Mar. c. 1. the commissioners and officers of the customs shall take an oath for the faithful execution of their office, upon pain of forfeiting the same.

By 6 & 7 Will. 3. c. 7. officers for extraordinary attendance may take such recompence from the merchant as the commissioners shall determine.

By 8 & 9 Will. 3. c. 36. any person may prosecute for the penalty on insuring goods without paying customs.

By 2 & 3 Ann. c. 9. the oath of the agent, or husband of any company, or servant of any merchant, on the importing or exporting of any goods, shall be sufficient.

By 8 Ann. c. 7. persons claiming goods seized, shall give security to answer costs.

By 8 *Ann. c. 13.* certificate goods relanded, shall be forfeited, and double the value of the drawback, with the vessel, and all things used in moving the goods. Officers conniving are to be incapacitated, and imprisoned for six months; and masters (besides the penalties) are to be imprisoned for the same time.

Master carrying certificate goods to *Ireland*, shall take a duplicate of his content, from the collector, to be delivered in *Ireland* before landing. *Ibid.*

Bonds on exportation of wrought silk, and other commodities mentioned in 11 *Will. 3. c. 10.* (*India goods*) not prosecuted within three years, and to judgment in two years after, shall be void, and officers not delivering up such bonds, shall pay damages and treble costs. *Ibid.*

Officers embezzling any goods, are to forfeit double the value, with costs. *Ibid.*

By 12 *Ann. stat. 2. c. 8.* goods that have remained (by 12 *Geo. 1. c. 28.* *six months*) in her majesty's storehouses, uncustomed, shall be sold by auction.

Deputations of officers of the customs, shall continue in force, notwithstanding the death or removal of the commissioners who deputed them. *Ibid.*

By 5 *Geo. 1. c. 11.* any ship (by 8 *Geo. 1. c. 18.* *under forty tons*) importing *brandy*, except two gallons for the use of each sailor, is forfeited: and *rum* imported in casks under twenty gallons, is forfeited.

Foreign goods taken in at sea (unless in case of necessity) to be run, are forfeited, and the master shall forfeit treble the value of such goods. *Ibid.*

Goods not reported, and found after clearing the ship, are forfeited. *Ibid.*

No bond for exportation of certificate goods to *Ireland*, shall be delivered up, or any drawback allowed, till certificate from the collector, where landed, is produced. *Ibid.*

Goods prohibited to be worn here, and foreign goods relanded, are forfeited; and the master of the ship shall forfeit the value of such goods. *Ibid.*

The master permitting the package of certificate goods to be opened on board, without leave, forfeits 100*l*. *Ibid.*

Ships of fifty tons, or under, hovering on the coasts, officers may enter and take an account of the lading, and demand security in treble the value of the goods; the master refusing to enter into bond, the foreign goods may be taken out of the ship, and secured, and custom paid; and wool and prohibited goods are forfeited. *Ibid.*

*Coffee* shall be exported in the original bale, or in some bale containing the same quantity, or not less than 400 weight, except to the plantations or *Ireland*. *Ibid.*

*The preceding clauses being temporary, are by the last act of continuance, 21 Geo. 3. c. 29. to remain in force till the 29th September, 1788.*



No *East India* goods shall be imported into *Ireland* from foreign parts, upon pain of forfeiture, and the officer conniving thereat, shall forfeit 500*l.* and be incapacitated. *Ibid.*

Goods saved out of any stranded ship, after salvage and charges paid, are liable to the customs. *Ibid.*

Painted silks, callicoes, linens, or stuffs found unmarked, are forfeited, and the possessor is to forfeit 50*l.* *Ibid.*

Officers making collusive seizures are to forfeit 500*l.* and be incapacitated, and the importer is to forfeit treble the value of the goods. *Ibid.*

Officer or importer discovering his accomplices, in two months, shall be acquitted, and any other person discovering in three months, shall have half the king's share of the penalties, which are half to the king and half to the informer. *Ibid.*

*These clauses have the like continuance by 21 Geo. 3. c. 29.*

By 6 Geo. 1. c. 21. in trials relating to excise or customs, if questions arise concerning the keeping of any office, or any one's being an officer, proof of the exercising such office may be given, without proving the hand-writing of the commissioners.

Commanders of vessels in the king's service, may compel the master of any ship under fifty tons, hovering within two leagues of the shore, to come into port. *Ibid.*

Master suffering uncustomed goods, wool, woollfells, mortlings, yarn of wool, wool-flocks, fullers earth, or tobacco-pipe clay, to be taken out of, or put on board, besides former penalties, shall be imprisoned six months. *Ibid.*

Any offender, in hindering officers in their duty, (*see title Felony*), discovering, before conviction, two of his accomplices, within two months, shall have 40*l.* for each, and be acquitted. Other persons discovering in three months, shall have 40*l.* over and above any other reward, to be paid by the cashier of the customs. *Ibid.* and also 8 Geo. 1. c. 18.

An officer of the customs may stop and warehouse, till claimed, prohibited or customable goods, found in any boat or house. 6 Geo. 1. c. 21.

Proof must be in ten days after stopping; it shall lie on the claimer, and if he gets a verdict he shall have reasonable costs. *Ibid.*

If the claimer make proof of his goods, or that they have received any damage, the goods shall be delivered, and he may sue the officers. *Ibid.*

Officers may prosecute notwithstanding the direction of the commissioners; so may the owners; and offences relating to the customs may be tried in any of the courts at *Westminster*, or in the exchequer in *Scotland*. *Ibid.*

By 8 Geo. 1. c. 18. after seizure and condemnation of any vessel, under forty tons, for importing brandy, the hull shall be burnt, and the tackle sold, or (by 12 Geo. 1. c. 28.) the commissioners may cause the same to be used by the officers of the customs.

Boats, barges, or the like, rowing, or found, with more than four oars above or below *London* bridge, shall be forfeited, and the owner, or person using the same, shall forfeit 40*l.* *Ibid.*

Such boats are to be burnt, or used as aforesaid: but this act is not to extend to the king's boats or galleys, to boats belonging to merchant ships, or to boats licensed by the admiralty, so as security be given that they shall not run uncustomed goods. *Ibid.*

Persons receiving or buying goods clandestinely run, shall forfeit 20*l.* Persons running goods, or receiving the same, may be arrested on a *capias* in the first instance. *Ibid.*

Seizures of vessels of fifteen tons or under, and of carriages, cattle, and the like, may be determined by two justices of peace. *Ibid.*

Goods brought from one port in *Great Britain* to another, unshipped before cocquet delivered to the customer, are forfeited: and foreign goods landed without the presence of an officer of the customs, shall be forfeited. *Ibid.*

*This act hath continuance by 21 Geo. 3. c. 29. until Sept. 1788.*

By 8 *Geo. 1. c. 31.* the ground wharf and premises called *Wood Key*, were vested in trustees for the crown, for the custom house, charged with 2,500*l.* with interest, and the annual rent of 350*l.* payable to the free school of queen *Elizabeth*, at *Seven Oaks* in *Kent*.

By 9 *Geo. 1. c. 21.* the customs of *Great Britain* may be put under one commission, or under several commissions for *England*, and *Scotland* respectively, as his majesty shall judge best.

Persons discovering frauds, shall have one half of the officers share. Tobacco or foreign goods, carried coastwise from any other port than the place from whence certified, are forfeited, and double the value; and the master of the ship shall forfeit the value of the goods. *Ibid.*

By 11 *Geo. 1. c. 30.* concealing goods liable to duties of customs or excise, forfeits the goods and treble value, and the value thereof shall be taken at the best rate.

Goods prohibited, or run, may be seized by any person, and warehoused, and offering such goods to sale, forfeits them and treble the value. *Ibid.*

The buyer shall also forfeit treble value, but both buyer and seller shall not be prosecuted for the same goods. *Ibid.*

If the prosecution be not commenced within a month, the warehouse keeper may prosecute. *Ibid.*

By 12 *Geo. 1. c. 28.* condemned tea, coffee, foreign brandy, and the like, shall be publicly sold to the best bidder, giving the officers one third arising from the sale, the remainder, after deducting charges, to be paid in lieu of the king's moiety.

No custom officer shall have such reward, without notice to the next excise officer, nor shall the goods be removed without a permit. *Ibid.*

No custom or excise officer shall deal in tea, coffee, brandy, or the like, on loss of office and 50*l.* *Ibid.*

On seizure of foreign goods for nonpayment of duties, the proof shall lie on the owner. *Ibid.*

One or more justices of peace, where the seizure is made, may examine persons on oath to the value of the goods. *Ibid.*

After entry of goods for exportation, whereon there is a drawback, the searcher may open and examine any bale, chest, or the like,

like, and on discovery of fraud, the owner shall forfeit the same, and lose the drawback. *Ibid.*

Customable goods shipped for exportation, without warrant or presence of an officer, are forfeited. *Ibid.*

Goods brought into the king's warehouses, remaining there six months, the duties not paid, may be publicly sold. *Ibid.*

No drawback shall be allowed for tobacco or foreign goods exported to the isle of *Man*. *Ibid.*

No commodities (except of the growth of the isle of *Man*, or the manufactures thereof) shall be brought into *Great Britain* or *Ireland*, on forfeiture of ship and goods, and also 100*l.* or six months imprisonment by persons aiding herein. *Ibid.*

Entering foreign goods for exportation, to get the drawback, and landing them in the isle of *Man*, shall forfeit treble the value of the goods, and the master, besides, shall be imprisoned six months. *Ibid.*

The treasury, on behalf of the crown, were by the same act enabled to contract for the absolute purchase of the isle of *Man*, which purchase was concluded by 5 *Geo.* 3. c. 26.

Persons in prison relative to the customs or excise, not pleading within one term, judgment may be entered by default, and execution awarded against body and estate. *Ibid.*

No information shall be filed for recovery of any penalty by the laws of the customs or excise, unless entered in the attorney general's name, or of some officer. *Ibid.*

By 9 *Geo.* 2. c. 35. persons apprehending, or maimed in apprehending of offenders against this act (*see title Felony, subdivision Customs*) shall be allowed 50*l.* reward, and if killed, their executors shall have the same.

Such offenders discovering two or more accomplices, three months after the offence, to the commissioners of the customs or excise, shall be discharged, and have the 50*l.* reward. *Ibid.*

The proof of entry and payment of duties, shall lie on such offenders, and all goods, weapons, furniture, and packages shall be forfeited. *Ibid.*

The rewards shall be paid by the respective receivers general, by order of the commissioners, on the judge's certificate of the offender's conviction; and the commissioners are to adjust the shares in case of difference. *Ibid.*

Persons lurking within five miles of the sea, or a navigable river, with intent to assist in running goods, not giving a good account of themselves to a justice, shall be sent to the house of correction, and be whipt, and kept to hard labour; and 20*s.* per head, to the informer of such offenders, shall be paid by the commissioners. *Ibid.*

Such persons desiring time to clear themselves of the accusation, shall be only imprisoned till satisfaction, or security given not to offend again. *Ibid.*

Tea or spirits offered to sale, with or without a permit, may be stopped on suspicion, and the persons stopping such goods may sue in his own name, and on recovery have a third part of the produce at



the sale. The commissioners are to advance 1s. per lb. for tea, and 1s. per gallon for brandy so seized, to the prosecutor till sale. *Ibid.*

Watermen, porters, or others, found with prohibited or run goods, shall forfeit treble the value, or be imprisoned for not more than three months. *Ibid.*

Vessels arriving from foreign parts, with six pounds of tea on board, or brandy or spirits in casks, under six gallons (except for the use of the seamen) hovering within two leagues of the shore, all such goods, with the packages shall be forfeited. *Ibid.*

Foreign goods taken in or put out of any vessel, within four leagues of the *British* coasts, without payment of customs, (unless in apparent necessity) shall be forfeited, and the master shall forfeit treble the value, and the vessel, if not above 100 tons. *Ibid.*

Fifty pounds penalty on offering to bribe an officer to connivance; and actions of assault upon officers, may be tried in any county of *England*. *Ibid.*

All goods found concealed, after the master's report at the custom-house, are forfeited, and the master shall forfeit treble the value. *Ibid.*

Officers may go on board coasting vessels, and search for prohibited goods, and continue on board during the vessels stay in port; and every person obstructing shall forfeit 100*l.* *Ibid.*

Alehouse-keepers, or the like persons, knowingly harbouring any person against whom process hath issued, for obstructing officers, after six days notice in the gazette, of such person's absconding, and writing fixed to the door of the church, shall forfeit 100*l.* *Ibid.*

Sheriffs, mayors, and like officers, on request in writing of a known solicitor for the customs or excise, shall grant special warrants for apprehending offenders, and they shall be indemnified from escapes. *Ibid.*

In trials of seizures, judges shall proceed to the merits of the cause without enquiring into the fact or form of making the seizure. *Ibid.*

Officers and their assistants may oppose force to force, and if carried before a justice for wounding or killing, shall be admitted to bail. *Ibid.*

The court of king's bench, or court of judicary in *Scotland*, may bail persons committed on this act. *Ibid.*

By 15 *Geo.* 2. c. 31. claimants of vessels seized for unlawful importation shall give security to pay costs.

By 19 *Geo.* 2. c. 34. continued by 26 *Geo.* 3. c. 80. till *Sept.* 22, 1788, armed persons to the number of three, assembled to assist in the illegal exporting of wool or other prohibited goods, or in the running of goods, or appearing in disguise with such goods, or who shall resist officers in the execution of their duty, are guilty of felony *without* clergy.

Orders for offenders to surrender in forty days, shall be published in two successive gazettes. and on their not surrendering, to be deemed convicted of felony without clergy. *Ibid.*

Persons harbouring such offenders shall be transported for seven years. *Ibid.*

Where officers are wounded in securing offenders, the hundred shall make full satisfaction and amends, and pay 100*l.* to the executors of each officer killed. *Ibid.*

Offenders discovering two or more accomplices shall receive 50*l.* and be acquitted. *Ibid.*

On informations for seizures, if there was a probable cause of seizure, the person who seized shall not pay costs: and in actions for the seizure, if there was a probable cause, the defendant shall not be liable to costs. *Ibid.*

By 21 *Geo. 2. c. 2.* drawbacks shall be allowed on exportation within three years, except where any act of parliament has declared that no drawback shall be allowed.

No drawback on candles, soap, or starch, made in *Ireland.* *Ibid.*

By 28 *Geo. 2. c. 21.* no spirituous liquors imported in vessels under sixty gallons shall be entered or reported for exportation; and all tea above six pounds, found in *British* vessels (excepting those of the *East India* company) arriving from foreign parts, shall be forfeited.

By 3 *Geo. 3. c. 22.* vessels or goods seized by officers of the customs, shall be publicly sold after condemnation, at such places as the commissioners of the customs shall think proper.

By 5 *Geo. 3. c. 43.* unentered goods found concealed in packages sent to the king's warehouse, or brought on shore by special sufferance, and not specified, are forfeited.

Goods paying *ad valorem* under-rated, may be carried to the king's warehouse, and the collector shall pay the proprietor the value sworn to, and 10 *per cent.* and the goods shall be sold, and a moiety of the *surplus* shall go to the officers concerned, and the other to the sinking fund. *Ibid.*

Officers seizing and not prosecuting, instead of a moiety, shall have only one third of the value.

By 7 *Geo. 3. c. 47.* foreign silk and thread lace, and needlework, seized, shall be sold for exportation only.

Wrought silks and velvets, and other works made thereof, and cambricks and *French* lawns, seized in *Great Britain*, shall be deposited in the next custom house till condemned, unless moved by order of the commissioners, who are to cause the same to be marked, and then may be brought to the king's warehouse at *London* or *Edinburgh*, to be sold for exportation. (*See the provisions in 27. Geo. 3. c. 13. under the title Importation, &c. whereby French linens are permitted to be imported.*)

By 9 *Geo. 3. c. 41.* the following goods shall not be moved by land from outports to *London*, without certificate of the duties paid, nor if imported or seized in *London*, sent into the country, unless bought at public sale.

*Foreign straw or bast hats, exceeding 1 doz. platting for making thereof, exceeding 1 lb. Spanish juice exceeding 20 lb. snuff 10 lb. nuncheon cloth, muslin, callico, or dimity, one piece; and china earthen ware, exceeding twelve pieces.*

Officers of the customs at *Senegambia* shall take the same fees as taken in *Barbadoes*, and the commanding officer shall assist officers on duty, and shall not exact greater fees, on penalty of 50*l.* *Ibid.*

By 14 *Geo.* 3. c. 86. a *capias* requiring bail, may issue in the first process for smuggling.

The 12 *Geo.* 1. c. 28. as to informations is extended to suing of penalties for importing, wearing, or using prohibited goods, where the king is intitled to any part. *Ibid.*

By 16 *Geo.* 3. c. 48. bonds taken relating to the customs, and not prosecuted in five years (except for duties or money due to the crown, or for the good behaviour of officers) shall be void, and the commissioners shall order them to be cancelled.

By 17 *Geo.* 3. c. 41. unshipping goods at sea from homeward bound *East India* ships at any distance from the coast (unless through apparent necessity) is a forfeiture thereof, and of the vessel into which they are taken, and treble value for assisting; and putting on board *East India* ships, wine, brandy, or the like, at sea, after clearance (except stores for the voyage) is the like forfeiture.

Bonds for the exportation of prohibited goods, or goods intitled to a drawback, shall not be discharged without a certificate of the landing; and commanders of ships to the *Baltic* shall give a particular of their lading to the *British* consul in ten days. *Ibid.*

By 17 *Geo.* 3. c. 43. and 23 *Geo.* 3. c. 6. until June 24, 1787, and from thence to the end of the then next session of parliament, tobacco-pipe clay may be exported to the sugar colonies in the *West-Indies*, any act to the contrary notwithstanding.

By 18 *Geo.* 3. c. 40. the 17 *Geo.* 3. c. 41. as to certificates, and proof for the discharge of bonds for exportation of goods prohibited is repealed; and the part relating to the *Baltic* extended to *Denmark*, *Norway*, and *Archangel*.

By 19 *Geo.* 3. c. 48. masters of ships removing their vessels out of the stream, except to the lawful quays in the port of *London*, before the goods are discharged, forfeit 100*l.*

By 19 *Geo.* 3. c. 69. foreign brandy or other spirits imported from any part of *Europe*, in casks less than sixty gallons (except two gallons for each seaman) shall be forfeited with the ship.

If tea, coffee, foreign brandy, or other spirits or goods, liable to forfeiture, be found on board any ship, in port, or within two leagues, not more than 200 tons, such ship and tackle shall be forfeited. *Ibid.*

The 8 *Geo.* 1. c. 18. is extended to boats with six oars, but not to commanders of the king's ships, nor to tow boats at *Bristol*. *Ibid.*

Ships and other things forfeited, may be seized by officers of the customs or excise, and if not fit for the king's service, shall be broken up and sold; and no writ of delivery shall issue out of the exchequer for any ship ordered to be burnt, or used for the ship's service, or broken up, unless the officer seizing shall delay proceeding three terms, and then not without good security for double value. *Ibid.*



Penalty 300*l.* on master of a ship coming from abroad (not an *East India* ship) having more than 100*lb.* of tea or 100 gallons of spirits (above two gallons for each seaman) in casks under sixty gallons. *Ibid.*

Officers of the customs or excise may arrest the master and persons assisting in running goods, and justices of peace may commit them. *Ibid.*

And such master shall enter into a recognizance with one sufficient security for 300*l.* to enter appearance to informations, and refusing to do shall be imprisoned. 26 *Geo.* 3. c. 77.

Two or more travelling together, armed or disguised, with horses or carriages, laden with more than 6*lb.* of tea, or five gallons of spirits, without a permit, may be arrested and committed, as also any one obstructing the officer, attempting a rescue, or damaging the casks, the officer to enter into a recognizance to prosecute, and the charges to be paid by the receiver general of the customs. 19 *Geo.* 3. c. 69.

Persons so committed may be tried at the quarter sessions, and if convicted, to be committed for not more than three, nor less than one year, or to serve the king by sea or land, and then not to be discharged in less than five years. *Ibid.*

Smugglers not then prosecuted, and before *Sept.* 29, 1779, entered as soldiers or sailors for three years, indemnified; but if guilty after, or deserting, indemnity void; and officer permitting him to avoid service, shall forfeit 500*l.* half to the king and half to the informer; and justices to examine complaints, and certify to the commissioners of the excise or customs thereof. *Ibid.*

By 24 *Geo.* 3. c. 16. the petty custom on alien's goods imported into *Great Britain*, and the duty of 1 per cent. on goods exported to, or imported from, the *Mediterranean* seas in unqualified ships, were discontinued.

By 24 *Geo.* 3. c. 47. if any vessel shall be found at anchor, or hovering on the coasts (unless by distress of weather) having on board any foreign spirits in a less cask than sixty gallons, or any wine in casks, six pounds of tea, or twenty pound of coffee, such vessel with it's cargo shall be forfeited; but on proof that such small quantities were on board without the privity of the owner or master, such vessel shall not be forfeited, if of more than 100 tons burthen, but the goods found on board shall be forfeited.

Cutters, luggers, shallops or wherries shall be forfeited, and all armed vessels; but vessels may have two carriage guns, four pounders, and two muskets for every ten men. *Ibid.*

This is not to extend to vessels which may arrive from *Russia* before *December* 1, 1784, nor to any vessel on a voyage from *America*, the *East* or *West-Indies*, or *Africa*, or the *Mediterranean*, nor to any vessels belonging to the revenue or government offices, or such as are licensed by the admiralty, or have arms on board, for exportation, by way of merchandize. *Ibid.*

No fee is to be taken for licences. Owners of licensed vessels shall bring their licences to the proper officer at the port of exportation and shall give security not to employ the vessel in the importation or landing of tea, or foreign spirits, or any prohibited goods. *Ibid.*

If any person shall maliciously shoot at any ship belonging to the crown, or shoot at, or dangerously wound, any officer of the navy, customs or excise, when acting in the execution of his duty, he shall suffer death as a felon. *Ibid.*

If any person be charged with any offence made felony by this act, before a judge of the court of king's bench, if in *England*, or before one of the lords of justiciary, if in *Scotland*, such judge shall return the information to one of the secretaries of state; to be laid before the king in council; who may order the offender to surrender himself to such judge, who shall commit him, which order is to be published in the gazette, and transmitted to the sheriffs, who shall proclaim the same in two market towns; offenders not surrendering shall suffer death as felons, and the court may award execution against them, as if they had been convicted. *Ibid.*

Any person harbouring such offenders after the time appointed for their surrender, and being prosecuted within a year after, shall, on conviction, be guilty of felony, and be transported for seven years. *Ibid.*

This is not to prevent the apprehending such offenders by the ordinary course of law. Persons obstructing officers of the navy customs or excise, in execution of their duty, may be carried before a justice, who may commit them, and on conviction they are to be sent to hard labour on the *Thames* for three years; and persons charged with such offences may be committed until the next quarter sessions. *Ibid.*

Offences may be tried in any county, and persons charged with a misdemeanor, shall not be admitted to bail, without entering into a recognizance to appear, and stand trial. *Ibid.*

Officers and seamen wounded in the revenue service shall be provided for by the treasury, and commissioners of customs shall reward officers, who shall take offenders against this act. *Ibid.*

If suspected vessels shall not bring to, when chased by any cutter in the service of the navy, having the proper pendant hoisted, the commander may shoot into them. Vessels not in the service of the navy, or customs or excise, shall not hoist such pendant on penalty of 500*l.* *Ibid.*

The penalties and restrictions in an act 8 *Geo.* 1. and in 19 *Geo.* 3. c. 69. relating to certain boats, are extended to boats exceeding twenty-eight feet in length, or more in proportion than three feet and an half, in length to one in breadth. *Ibid.*

Masters of vessels arriving at any port in this kingdom, or going outwards in ballast, shall make a true report of their vessels, and answer questions relative to the voyage, put to them by the proper officer; on penalty of 100*l.* *Ibid.*

Wine imported in any vessel not exceeding sixty tons burthen, shall be forfeited as also the vessel. Goods reported, contents unknown, may be opened, and if any prohibited goods are found they shall be forfeited. *Ibid.*

Officers of customs shall have like power to seize tea and spirits removing without permits, as officers of excise; and seizures of horses, boats, and carriages for removing of customable goods shall be determined by two justices. *Ibid.*

Officers making any collusive seizure, or agreeing not to seize any ship or goods, or taking any bribe, shall forfeit 500*l.* and be incapacitated, and every person giving or offering such bribe, shall forfeit 500*l.* *Ibid.*

Vessels and goods forfeited by this act, or by 19 *Geo.* 3. c. 69. may be seized by any officer of customs or excise; but condemned vessels, if fit for his majesty's service, may be sold to the officers appointed by the admiralty. *Ibid.*

All the regulations in 23 *Geo.* 3. c. 70. touching actions to be brought against excise officers, and their aiders, are extended to officers of the customs. *Ibid.*

No claim shall be entered to any vessel or goods seized, and returned into the exchequer, unless in the real names of the owners or proprietors thereof, which are to be sworn to before a baron, and taking a false oath incurs the pains of perjury. *Ibid.*

Every claimant of any vessel or goods seized (if resident in *Great Britain*) shall be bound with two sureties, in a penalty of 100*l.* to pay costs; but if not resident, his attorney shall be bound in like manner. *Ibid.*

A general pardon of all offences against the custom or excise laws, committed before the 24th of *June* 1784, was by this act granted, and all penalties were likewise remitted.

By 26 *Geo.* 3. c. 36. no *British* refined sugar shall be imported into the *Isle of Man*, except from *Great Britain* directly, and from the ports after mentioned, under penalty of forfeiture, and of the ship.

Four hundred weight of refined sugar, and ten hundred of refined sugar bastard, may be exported annually from *Liverpool* to *Douglas* in the *isle of Man*; no such sugar shall be exported from the *isle of Man*. *Ibid.*

The house of *Keys* in the island may permit 1000 barrels of foreign herrings to be imported into the island in any one year, duty free. *Ibid.*

By 26 *Geo.* 3. c. 40. no goods shall be imported into *Great Britain*, in any vessel belonging to *British* subjects unless the master have on board a manifest, containing the particulars of the contents, where laden, the name and built of such ship, the tonnage, the commander's name, the port to which it belongs, and a true account of the whole cargo.

No wine shall be imported from any place not subject to the crown of *Great Britain*, unless the master has a proper manifest on board. *Ibid.*

And certificates are requisite on the importation of goods as heretofore. *Ibid.*



Masters of vessels, before clearing out for *Great Britain*, from any of the *British* dominions in foreign parts, shall deliver a manifest to the chief officer of the customs. *Ibid.*

Truth of the manifests shall be verified on oath, before the consul relative to wine shipped in foreign parts for *Great Britain*. *Ibid.*

Masters of vessels importing goods without a proper manifest forfeit double the value of the goods, with the full duties. *Ibid.*

Masters of vessels, on arrival within four leagues of the *British* coast, are to produce their manifests to the first officer of the customs who shall come on board, and give him a copy thereof. Officer shall certify such production on the back of the original manifest, and transmit a copy to the proper officers at the port of consignment. The master is not required to give more than two copies of his manifest. *Ibid.*

The master neglecting to produce his manifest, or to give a copy thereof to the proper officer, forfeits double the value of the goods, and all the duties, and the officer neglecting to certify the production thereof forfeits 100*l.* *Ibid.*

Master and mate of any such vessel, who shall suffer bulk to be broken within the said limits, unauthorized by the proper officer, shall forfeit 200*l.* each (except through bad weather). *Ibid.*

Goods not stored in the main hold shall be taken an account of by the proper officer, who shall first come on board, who is to mark or seal the packages; and if any marks on such goods shall be defaced, with the privity of the master and mate, they shall forfeit 200*l.* each. *Ibid.*

Master of every vessel importing such goods shall make entry upon oath, of her burthen and lading, before the chief officer at the port of importation; and deliver his manifest to him; on penalty of 200*l.* *Ibid.*

The master, if the goods reported do not agree with the manifest shall forfeit 200*l.* But if it is proved that the cargo was taken aboard in foreign parts, and that no part has been unshipped, or that the manifest is lost, or defaced without fraud, or incorrect only by mistake, the penalties are not to be incurred. *Ibid.*

Masters permitting goods to be thrown overboard or destroyed after arrival within the limits aforesaid, unless through necessity, shall forfeit 200*l.* *Ibid.*

Importers, within twenty days after the master's report, shall make entry, with the proper officer, of all goods imported by them, and pay the duties; unless such goods may be warehoused upon bond. *Ibid.*

No vessels shall be cleared out for foreign parts, until the master and mate have given bond not to land illegally any goods on board; and no bounty or drawback shall be allowed on any goods exported in bales press packed, unless the packer make oath of the quantity and quality of the goods packed. *Ibid.*

Masters who shall not deliver cocquets to the proper officer shall forfeit 100*l.* and if the cargo shall not be agreeable thereto he shall likewise forfeit 20*l.* for every package missing. *Ibid.*

Debentures on exportation of goods entitled to a drawback or bounty, shall be made out in the names of the real owners; but companies trading by a joint stock may employ an agent. *Ibid.*

No bounty or drawback shall be paid for goods exported to *Ireland*, *Guernsey*, or *Jersey*, without a proper certificate. *Ibid.*

Goods intitled thereto shall not be put on board by any persons (except revenue officers) other than such as shall be licensed by the commissioners of the customs, who are to grant such licences to the persons now intitled by law to carry goods on board, they finding proper security. *Ibid.*

Masters of vessels who shall neglect to bring to at the usual places appointed for stationing revenue officers, shall forfeit 100*l.* *Ibid.*

Revenue officers on board shall have free access to the cabin, and may open locks. *Ibid.*

No goods the growth or manufacture of any country beyond the *Cape of Good Hope*, shall be brought into *London* or *Westminster*, *Southwark* or the bills of mortality without a proper certificate that the duties have been duly paid; on forfeiture thereof with the carriages. The proof of the place to which such goods were removing shall lie on the claimant; but goods that were bought openly, or are private property, and used as domestic furniture may be removed without forfeiture thereof. *Ibid.*

Commanders of the king's ships of war may seize any vessels or goods subject to forfeiture. *Ibid.*

Witnesses shall be examined on oath before the surveyors general of the customs; and persons making a false oath shall be deemed guilty of perjury. *Ibid.*

If in a trial for seizure of goods, wherein a verdict is given for the claimant, there shall appear to have been a probable cause for such seizure, the defendant shall not be liable to costs or damages. *Ibid.*

This act shall commence in *Europe* on *December* 25th 1786; *Africa*, or *America* after *September* 29th 1787; and in *Asia* after *March* 25th 1788. *Ibid.*

All vessels and goods seized and condemned in the *British* colonies in *America*, shall be sold there, by public auction. *Ibid.*

By 27 *Geo.* 3. c. 31. the regulations of the last act shall not extend to beer exported, but all former regulations shall remain, and such drawbacks as would have been due since *August* 1st 1786, on beer exported, may be paid.

By 27 *Geo.* 3. c. 32. any cutter, lugger, shallop, wherry, sloop, smack or yawl, belonging to his majesty's subjects, found within four leagues of the coast, whose bowsprit exceeds two thirds of the vessel in length, shall be forfeited.

Names of boats belonging to such vessels shall be painted on their sterns, on penalty of being forfeited. *Ibid.*

Boats not belonging to vessels shall have their names and the owners painted on their sterns, on penalty of being forfeited, if found within the limits of any port or within four leagues of the coast;

coast; but this is not to extend to any vessel in his majesty's service. *Ibid.*

If vessels having a licence from the admiralty shall be found out of the limits thereof, they may be seized, unless it be made appear that they were driven thereout by distress of weather. *Ibid.*

The licences shall be produced to officers of the revenue, who shall board such vessels within four leagues of the coast, otherwise the vessel may be seized. *Ibid.*

Vessels seized may be disposed of agreeable to 24 Geo. 3. c. 47. *Ibid.*

The officers of the customs may open all bales, casks and packages, on board any vessel wherein any packages for exportation have been reported; but this is not to extend to vessels coming from *Asia, Africa, or America.* *Ibid.*

The manifests required by 26 Geo. 3. c. 40. shall for all ships within the limits of the *East India* company's charters be delivered to and authenticated by the person who shall deliver the last dispatches; and for ships from *China*, by the company's chief supercargo there. *Ibid.*

Commissioners of the customs may direct the hull of any vessel seized in *America* or the *West Indies*, to be broken up, and the materials sold. *Ibid.*

All seized goods shall be stamped before they are delivered from his majesty's warehouses; and if any officer neglects to stamp such goods, or accepts any fee for stamping them, he forfeits 200*l.* and is disabled from serving his majesty. *Ibid.*

Persons counterfeiting such stamps shall be guilty of felony without clergy. Goods with counterfeit stamps shall be forfeited, and the persons in whose custody they are found, shall forfeit 500*l.* and unauthorized persons having stamps in their custody shall also forfeit 500*l.* *Ibid.*

Commissioners of the customs may restore goods, and other things seized, on being satisfied that the forfeiture arose, without any design of fraud in the proprietor, on such conditions as they may think reasonable; and if such conditions are not complied with they may be condemned; but proprietors accepting such conditions are not entitled to any recompence on account of the seizure. *Ibid.*

*See also the title Importation and Exportation.*

### *General Laws relative to the Excise.*

By 12 Car. 2. c. 23. no person shall intermeddle in the excise until he has taken oath to execute the same faithfully, which is to be certified at the next quarter sessions, also 15 Car. 2. c. 11. 10 Ann. c. 19. and c. 26.

All parts within the weekly bills of mortality shall be under the head office. The king shall appoint commissioners and all officers. The excise office shall be kept open from eight in the morning till



till twelve at noon, and from two till five in the afternoon; and the monies collected shall be paid into the exchequer. 12 Car. 2.

By 15 Car. 2. c. 11. no commissioner or other officer of excise shall farm the revenue thereof; nor shall they act as justices of peace in matters touching the excise.

Officers shall attend in market towns touching receipts and duties of excise on pain of 10*l*. *Ibid*.

Gaugers shall take no bribes to make false returns, on forfeiture of 10*l*. and the persons bribing forfeit the same. *Ibid*.

Foreign liquors imported shall be duly entered; on pain of forfeiture. *Ibid*.

Upon appeals in excise cases the duty shall be deposited. Complaints shall be determined in the proper counties; the commissioners shall take no fees; on pain of 10*s*. for each offence. Two justices may determine matters on this act: and the penalties shall go one third to the king, one third to the poor, and the other third to the informer. *Ibid*.

Appeals in town must be within two months, in the country within four. *Ibid*.

By 16 & 17 Car. 2. c. 4. farmers of excise shall have like authority as the commissioners of excise.

By 22 & 23 Car. 2. c. 5. justices of peace, and commissioners may mitigate the fines, so as the same be not made less than double the duty, besides costs.

By 1 Will. & Mar. stat. 1. c. 24. offices shall be kept at *Holyhead, Newborough, and Lanerchbtinh in Anglesey* as well as at *Brean-maris*.

Commissioners of excise, or clerks taking money of any person other than the king, shall forfeit their office, and be incapable of any office in the revenue. *Ibid*.

By 7 Will. 3. c. 30. the commissioners and justices may summon witnesses and if they refuse to appear, or give evidence, they forfeit 10*l*.

Inferior officers of excise, and salt, shall continue in their offices, notwithstanding the death or removal of any of the commissioners, *Ibid*.

By 12 & 13 Will. 3. c. 12. and 1 Geo. 1. stat. 1. c. 1. 3700*l*. shall be paid weekly out of the excise duties into the exchequer, appropriated to public uses.

In lieu of the annuity granted out of the hereditary excise by Car. 2. for the banker's debt, it shall stand charged with the yearly payment of 3*l*. per cent. 12 Will. 3. c. 12. Part of this debt subscribed for annuities upon the general fund, by 3 Geo. 1. c. 7. residue of debts unclaimed applied for paying off the annuities, 13 Geo. 1. c. 3.

By 6 Geo. 1. c. 21. any person obstructing officer of excise in relation to the duties forfeits 10*l*.

By 11 Geo. 1. c. 30. officers of excise may go on board ships to search for brandy, or other exciseable liquors, in like manner as officers of the customs.

Excise officer, by special warrant, may search any place for brandy or the like fraudulently hid, and any person obstructing, forfeits 100*l.* *Ibid.*

Any person taking out a permit, and not sending away the commodities in the time limited, or not returning the permit, forfeits treble the value of the goods; and if there does not appear a sufficient decrease to answer the removal, the officer may seize a like quantity, any person taking a permit for removal, without direction of the person, from whose stock the commodities are to be removed, forfeits 50*l.* *Ibid.*

Constable refusing to go with an excise officer shall forfeit 20*l.* *Ibid.*

On question, whether the person be an excise officer, proof shall be admitted that he was reputed such, without producing the commission. *Ibid.*

Any person attempting to corrupt an officer of excise in his duty, shall forfeit 500*l.* half to the king and half to the poor. *Ibid.*

By 12 Geo. 1. c. 28. no officer of excise shall be subject to penalty, for not leaving a copy of the charge, unless demanded in writing.

By 1 Geo. 2. stat. 2. c. 16. complaints may be determined by, and adjudications executed by warrant of, three commissioners.

By 18 Geo. 2. c. 26. any entry made by dealers in exciseable goods shall not be deemed a legal entry, unless made in the name of the real owner, and the person acting as visible owner shall be deemed the real owner, and liable as such to the duties, and penalties, and all goods found in places of trade shall be liable.

Offences against the excise laws may be prosecuted out of the jurisdiction wherein they were committed. *Ibid.*

By 32 Geo. 2. c. 17. in all cases relating to the excise, summons directed to the party by his right, or assumed name, or left at his usual place of residence, shall be deemed legal notice, except where particular directions shall be enacted for summoning or condemning.

By 33 Geo. 2. c. 9. officers of excise may seize all vessels liable to be forfeited by former laws, and proceed to condemnation in like manner as officers of the customs.

By 5 Geo. 3. c. 43. all powers by 18 Geo. 2. c. 26. shall be executed against persons offending against the excise laws.

Commissioners of excise may appoint persons (in the absence of the collector) to administer oaths to exporters, and to grant certificates of duty paid.

By 6 Geo. 3. c. 47. the six months allowed by 15 Geo. 2. c. 26. (*see Division of present title* spirituous liquors) for payment of excise duties on warehoused rum, are enlarged to twelve months.

By 9 Geo. 3. c. 6. excise officers may seize horses and carriages removing foreign spirits and goods, duties unpaid, like as customhouse officers may, and proceed by the excise laws, or by action.

By 10 Geo. 3. c. 44. traders using false scales or weights, in weighing stock, to defraud the revenue, shall forfeit 100*l.* but not to be punished under this, and other acts for the same offence; twice, a moiety to the king, and the other to the informer.

By 19 Geo. 3. c. 69. all druggists, grocers, chandlers, coffee, or chocolate house-keepers, and dealers in coffee, tea, cocoa nuts, and makers of chocolate, shall put over their doors these words, *Dealer in Coffee, Tea, or Chocolate*, on penalty of 200*l.* and all importers, and dealers in foreign brandy, arrack, rum, spirits or strong waters, shall put on some conspicuous part of their house these words, *Importer of or Dealer in Foreign Spirituous Liquors*, on penalty of 50*l.*

Any dealer buying where the words are not up, penalty 100*l.* but not for buying goods warehoused, according to 10 Geo. 1. c. 10. or at the *East India* company's sales, or sold for insurers for salvage, or prize teas, or spirituous liquors on board ships, or on quays, by the first purchaser, or of rum warehoused according to 15 & 16 Geo. 2. c. 25. or arrack in the *East India* company's warehouses, nor foreign spirituous liquors, or if sold by insurers. *Ibid.*

Putting up the words, not having entered the place at the excise office, penalty 50*l.* and persons, not dealers, buying where the words are not (except as before) penalty 10*l.* and any smuggler selling goods, and informing against the buyer in twenty days (and before information laid against himself) indemnified. *Ibid.*

By 21 Geo. 3. c. 55. officers, in their permits for removing exciseable goods, are to express the time they shall be in force, and not removing such goods agreeable to the permits, incurs the penalties in 2 Geo. 1. and forfeiture of the goods; but in case of unavoidable delay in delivering such goods, the same shall not be forfeited.

By 22 Geo. 3. c. 68. persons counterfeiting any permit for removal of exciseable goods, or who shall knowingly publish or use any such permit shall forfeit 200*l.*

By 23 Geo. 3. c. 70. the commissioners of excise are to provide moulds for making of paper to be used for permits, with the words *excise office* visible in the substance of such paper; and no permits shall be granted on any other paper.

All persons who shall make any mould for making such paper as aforesaid, or assist in making such paper, unless appointed by the commissioners of excise, shall suffer death as *felons*. *Ibid.*

Persons counterfeiting permits, or giving or receiving any false permit, or altering any granted by the proper officer, shall forfeit 500*l.* *Ibid.*

Excise officers delivering out paper for permits improperly, or granting false permits, are guilty of *felony*, and may be transported for seven years. *Ibid.*

Upon every action entered in any court of record for the penalty of 500*l.* a *capias* shall issue, and the defendant shall give bail for his appearance, and also to pay the penalty. *Ibid.*

Officers of excise shall not be sued for executing their office, until after a month's notice of the offence. Officers may tender amends, and if sufficient, a verdict shall be given for the defendant, who shall be intitled to costs. *Ibid.*

No evidence of the cause of action shall be produced, except what is contained in the notice; and the defendant may pay money into court. *Ibid.*



Claimers of goods seized shall prove payment of the duties, and persons obstructing officers in executing this act (See *Spirituous Liquors*), shall forfeit 100*l.* *Ibid.*

By 25 *Geo. 3. c. 74.* silks, callicoës, linens or stuffs printed, painted or dyed in *England*, and candles, leather, soap, hops, paper, pasteboard, mill board, scale board, paper printed, painted, or stained, starch, gold or silver wire, and bricks or tiles for which the duties are paid, may be exported, giving the excise officer notice before packing up the same, and persons opening them after packed, except the excise officer, shall forfeit 20*l.*

If such goods shall not be packed agreeable to notice, a fresh one shall be given. *Ibid.*

Exporters shall give security for the shipping thereof, and not to reland the same, whereupon they shall receive a certificate from the officer, and have the drawback. *Ibid.*

Officers attending the shipping such commodities may examine them; and goods landed, after giving security for obtaining the drawback shall be forfeited. *Ibid.*

By 26 *Geo. 3. c. 77.* persons using any art to deceive officers in taking the weight or account of stocks shall forfeit, 100*l.*

Persons having in possession *British* spirits, soap, or candles, for which the duties have not been paid, forfeit the same and treble the value, which shall be estimated at the price of the best articles of the sort. *Ibid.*

Proof may be admitted of officers being authorized to act, without producing their particular appointments. *Ibid.*

Actions for penalties shall be filed in the name of the attorney general, or of an officer of the customs or excise, or else be void: and the attorney general may enter a *noli prosequi* in any action for fines. *Ibid.*

Persons assailing excise or custom officers, or attempting to rescue prohibited goods, shall be bound with two sureties, to appear to informations, and refusing to become bound, shall be imprisoned. *Ibid.*

By 27 *Geo. 3. c. 31.* within thirty days after report of any vessel bringing *French* callicoës, muslins, linen, stuff, fustian, velvet, velveret, dimity or figured stuffs (excepted dyed of one colour) or *French* beer, ale, or mum; entry of the goods shall be made with the collector of excise, and the duties paid, on penalty of their being forfeited.

If the goods are landed before the duties are paid, they are forfeited, and the persons aiding therein, or receiving them, forfeit treble their value. *Ibid.*

Commissioners of the excise shall provide frames to denote the measure of *French* callicoës, and the like stuffs, which are to be marked with such frames, and with a stamp, to denote the payment of the duty. *Ibid.*

Persons fraudulently counterfeiting such frames, or having callicoës or the like marked therewith, in their custody, knowingly, shall forfeit 100*l.* *Ibid.*

Persons fraudulently counterfeiting stamps shall suffer death; and persons selling calicoes or the like, with counterfeit stamps, shall be liable to the same punishment. *Ibid.*

On oath of a credible person, the houses of persons suspected to have in their possession calicoes or the like unstamped, may be searched: and if found in any place, except shipped for exportation, they are forfeited, and also 100*l.* *Ibid.*

Officers of excise may administer the necessary oaths on the exportation of goods intitled to drawbacks or bounties. *Ibid.*

## *Ale, Beer, Cyder, Perry, Mum, Metheglin, Mead, Sweets, Verjuice, Vinegar.*

**BEER.** By 27 *Geo.* 3. c. 13. there shall be paid for every barrel of beer or ale, above 6*s.* the barrel (exclusive of the duty, not two penny ale, mentioned in the seventh article of the treaty of union, nor table beer) and made for sale according to 22 *Geo.* 3. 8*s.*

Allowance upon every barrel of ditto, made for sale by retail within the bills of mortality, 1*s.* 4*d.* in any other part of *England*, 1*s.* 8*d.* and in *Scotland*, 10*d.*

Bounty on exportation of ditto, when barley is at or under 1*l.* 4*s.* the quarter, containing eight bushels, the barrel, 1*s.*

Drawback on exportation of ditto, after deducting 3*d.* per ton for charges, the barrel, 8*s.*

*Beer* or *ale* made for sale, of 6*s.* the barrel, or under (exclusive of the duty) the barrel, 1*s.* 4*d.*

Allowance on every barrel of ditto made for sale by retail in *England*, 4*d.* in *Scotland*, 3*d.*

*English table beer* or *ale*, above 6*s.* the barrel, and not exceeding 11*s.* exclusive of the duties, made according to 22 *Geo.* 3. the barrel. 3*s.*

*Twopenny Ale* mentioned in the seventh article of the treaty of union, the barrel, 3*s.* 4*d.*  $\frac{1}{4}$   $\frac{1}{5}$ .

Allowance upon every barrel of ditto brewed in *Scotland*, 6*d.*

*Beer*, *ale*, or *mum*, except *French*, imported, the barrel, 17*s.* 3*d.*

*French beer*, *ale*, or *mum*, imported directly into *Great Britain*, the barrel, 8*s.*

**CYDER and PERRY**, imported into *Great Britain*, the ton, 252 gallons, 17*l.* 17*s.* 6*d.*

Sold by retail (to be paid by the retailer, the hogshead) 14*s.* 7*d.*

— sold in quantities of twenty gallons or upwards, by any dealer, made from fruit of his own growth, the hogshead. 6*s.* 11*d.*

— such last mentioned cyder or perry, when received into the possession of any person to be sold, to be paid by such person, the hogshead, 7*s.* 8*d.*

— Cyder or perry consigned to any agent to sell, to be paid by such agent, the hogshead, 19*s.* 2*d.*

And every person receiving such cyder or perry shall be deemed a factor, unless he proves it to be made from fruit of his own growth, or that the duty is paid. 6 *Geo.* 3. c. 14.

Where it shall appear that the duties have before been duly charged, the factor and retailer are not to be charged anew. *Ibid.*

Masters of vessels carrying cyder or perry coastwise, are to make report thereof to the proper officer of excise, within three days after coming into port, with an account of the persons and places from whence sent, and where and to whom consigned; on pain of 20*l.* for every such neglect or refusal, or delivering the same otherwise than as consigned; and perry and cyder shall be landed within twenty-one days after arrival; on forfeiture thereof. *Ibid.*

Factors are to enter their names and storehouses, three days before they sell any cyder or perry; on forfeiture of 50*l.* for each unentered storehouse used; and they are to be subject to the same regulations as dealers are. *Ibid.*

Where the duty on cyder or perry, in custody of a factor, shall be certified to have been charged, the factor shall be discharged thereof. 23 *Geo.* 3. c. 4.

Persons buying cyder or perry, or fruit to make the same, and selling what they buy or make, are retailers. 6 *Geo.* 3. c. 14.

But where one dealer shall purchase of another, to sell again, and the duties shall be certified for, the additional duty on retail is not to be charged; nor where cyder and perry shall be sold by the maker in less quantities than twenty gallons to the dealer or retailer. *Ibid.*

Dealers and retailers from fruit of their own growth are subject to the same regulations as other dealers. *Ibid.*

Dealers retailers or factors sending cyder or perry from the maker to the contractor without the duties charged, and a certificate, forfeit, 50*l.* *Ibid.*

By 27 *Geo.* 3. c. 13. *these duties on home made cyder and perry (allowing three-pence per ton for charges) are to be drawn back on exportation.* (And distillation; and also where the cyder or perry becomes unfit for sale as such, when it shall be charged with the duties on vinegar. 6 *Geo.* 3. c. 14.) *Quære, whether this part is in force?*

Obstructing officers in their duty, or rescuing or staying cyder or perry, after seizure, is a penalty of 40*l.* *Ibid.*

By 27 *Geo.* 3. c. 13. there is payable for every barrel of MATHEGLIN or MEAD, made for sale, the gallon, 1*s.*  $\frac{3}{4}$

SWEETS, commonly called made wines, made for sale, from fruit or sugars together, or mixed with other ingredients, pay, *per* barrel 18*s.* 4*d.*  $\frac{3}{4}$ .

VERJUICE made for sale, shall pay, *per* hoghead, 7*s.* 8*d.*

VINEGAR. Vinegar, beer, or liquors preparing for vinegar, brewed for sale, the barrel, 10*s.*  $\frac{3}{4}$

By 8 *Ann.* c. 7. the duties extend to vinegar for pickles, but not to vinegar for making white lead.

By 10 & 11 *Will.* 3. c. 21. all returns of beer, cyder, or other liquor fit for making vinegar, found in the possession of any vinegar-maker, shall be deemed vinegar, or liquors preparing for the same.



No vinegar-maker shall receive any liquors for making of the same, nor deliver any out, without notice to an excise officer, unless in the day light; upon pain of 50*l.* *Ibid.*

The vinegar-maker shall shew such liquors to the gauger, on pain of 20*l.* and likewise enter his storehouses at the office, on pain of 50*l.* *Ibid.*

All liquors made by infusion, fermentation, or the like, from fruit or sugar shall be deemed *sweets*; and persons having in their custody above two gallons of such sweets shall be deemed makers for sale. *Ibid.*

By 12 *Car. 2. c. 24.* common brewers shall account weekly, and inn-keepers and other retailers of beer, ale, cyder, perry and metheglin monthly; upon pain of 10*l.* on the brewer, 5*l.* on the inn-keeper 20*s.* on the alehouse-keeper, and if the duties are not paid within a week by the brewer, and within a month by the retailer, after entry, double the duty shall be levied by distress. *Ibid.*

But no person shall be obliged to go further for making entries than the next market town. *Ibid.*

The commissioners may appoint gaugers, who may enter and gauge all coppers and vats, and take an account of all beer, ale, worts, perry and other liquors, upon whose report the brewer, inn-keeper, and retailer shall be charged, and if they refuse to let him gauge, they shall be warned not to sell or deliver out any such liquors, and if they do without payment of the duties, the forfeiture is 10*l.* *Ibid.*

The-barrel of beer shall be thirty-six gallons, and ale thirty-two. *Ibid.*

Ale and beer shall be sold at the usual rates, and the common brewer, not selling by retail, shall be allowed three barrels, on every twenty-three barrels of beer, and two on every twenty-two barrels of ale, for waste by filling and leakage. *Ibid.*

But making false entries, he forfeits, besides other penalties, the said allowances for six months following. *Ibid.*

No ale or beer shall be delivered to the retailer before the rate be paid, but beer and ale sold in fairs by persons not common brewers, so as the duty is paid, incurs no penalty. *Ibid.*

The commissioners may compound for the duties, and farm any of the rates by this act, to such persons as shall be recommended by the quarter-sessions. *Ibid.*

By 15 *Car. 2. c. 11.* notice shall be given at the excise office of all brewing vessels, and of the fixing or altering the same, and of all places for laying beer or the like in cask: upon pain of 50*l.* for every tun; and other persons in whose house any private tun shall be found, shall forfeit 50*l.*

Gaugers shall weekly make their entries at the excise office, giving the brewer a copy; and the brewer shall not be sued, in case he rectifies the mistake within a week. *Ibid.*

Two skilful gaugers shall be appointed, as often as necessary, one by the excise and the other by the brewers, to take the dimensions of all vessels in any city or place. *Ibid.*

Brewers shall carry out their beer only between the hours of three in the morning and nine in the evening from *Lady-day* to *Michaelmas*; and during the other part of the year between five in the morning and seven in the evening; on pain of 20*s.* *per* barrel. *Ibid.*

The penalty for mingling strong and small worts, after an account taken by the gauger, is 20*s.* *per* barrel. *Ibid.*

Brewing vessels shall be subject to the duties and penalties of excise. *Ibid.*

Brewers compounding shall not brew for other brewers, without first giving notice to the commissioners of excise, on pain of 5*l.* *per* barrel. *Ibid.*

By 22 & 23 *Car. 2. c. 5.* inhabitants in a market town where there is a common brewhouse, shall not lend their vessels, or suffer any beer to be brewed therein, other than for their own families; on pain of 50*l.*

Mixing small beer with strong after received by the retailer from the brewer, is a forfeiture of double duty. *Ibid.*

By 1 *Will. & Mar. stat. 1. c. 24.* thirty-four gallons of beer or ale out of the bills of mortality, shall be deemed a barrel.

Brewer shall be charged with wort missing, and gaugers may make returns on warm worts, allowing a tenth part for waste. *Ibid.*

Brewer shall not be discharged from any mistake by 15 *Car. 2.* unless he shewed the gauger all the beer, at the time of the return. *Ibid.*

Using any secret place, for laying any beer or worts, is a penalty of 50*l.* and conveying away or mixing the same 20*s.* *per* barrel. *Ibid.*

Gaugers shall leave notes of their gauges with brewers and retailers; on pain of 5*l.* (5 *Will. 3. c. 10.*) and they may be relieved against any overcharge. *Ibid.*

Informations shall be within three months after offence, and notice thereof shall be given, within a week after made. *Ibid.*

Melasses shall not be used in brewing, on forfeiture of the beer and 100*l.* *Ibid.*

By 7 *Will. 3. c. 30.* concealing vinegar, cyder, metheglin, mead, or sweets, from the gaugers, is a penalty of 40*s.* *per* barrel, as to vinegar and sweets; 40*s.* *per* hogthead as to cyder; and 5*s.* *per* gallon as to mead or metheglin. And refusing to let the gauger take an account, is a penalty of 15*l.*

No sweets shall be carried out, without notice to an officer, but between five in the morning and eight at night, from *Michaelmas* to *Lady-day*; and during the other part of the year between three in the morning, and nine at night, on pain of 40*s.* *per* barrel. *Ibid.*

The penalty for carrying out any part of a guile before the gauger takes an account, is 40*s.* *per* barrel, and refusing entry to the gauger is a penalty of 20*l.* *Ibid.*

Brewer or retailer mixing small beer with strong after carried out, shall forfeit 5*l.* the gauger may taste the same on the dray, or in the victualler's cellar, and the victualler refusing forfeits 5*l.* *Ibid.*

Gauger

Gauger shall leave with the brewer or retailer, a copy of each charge by him made, and if he neglects so to do, or charges more therein than contained in the copy, he shall forfeit 10*l.* But officers leaving such charges shall not be liable to former penalties. *Ibid.*

Officers suspecting any private back, tun, or vessel, may break open the brewhouse, and search, and brewer or other person opposing them forfeits 20*l.* *Ibid.*

By 8 *Will.* 3. c. 19. brewer shall declare how much strong beer or ale he intends to make of each guile; on pain of having the whole charged as strong, and forfeiting 20*s.* per barrel, and increasing the same after declaring, is a penalty of 5*l.* per barrel, as to the brewer, and 20*s.* as to the servants aiding therein, or three months imprisonment, but beer of a former guile may be added in the officer's presence.

Beer or ale of a former guile, altered and added to a new guile shall be charged as new drink, and the brewer shall pay duty accordingly. *Ibid.*

Brewers shall not have any pipes, holes, or private conveyances on pain of 100*l.* and officers may break up the ground in a common brewhouse, and search for the same, which if not found, the officer shall make satisfaction, but if opposed herein, the penalty is 50*l.* *Ibid.*

Brewers may have pipes, stop-cocks, and other conveyances above ground, but they are not to set up or alter any tun, batch, float, cooler or copper, without notice, on pain of 200*l.* *Ibid.*

Brewer or cyder maker delivering to the distiller or vinegar-maker, any wash or the like without notice to the gauger, shall forfeit 20*s.* per barrel. *Ibid.*

By 10 *W.* 3. c. 21. brewers or retailers using melasses in brewing, or having above ten pounds in their possessions shall forfeit 100*l.* and persons assisting in the using them, or in conveying them into the house shall forfeit 20*l.* or be imprisoned three months.

By 12 & 13 *Will.* 3. c. 11. no information shall be brought against any distiller, vinegar, or cyder maker, for any mis-entry or offence, unless laid within three months, and notice given.

By 1 *Ann.* stat. 2. c. 3. no brewer shall use or mix in brewing any sugar, honey, foreign grains, Guinea pepper, malt and water boiled to the consistence of melasses, coculus Indiae, or any thing unwholesome, on pain of 20*l.*

By 6 *Geo.* 1. c. 21. *Sweets* that have paid the duties, shall not be removed without express certificate, on forfeiture of 10*s.* per gallon, the sweets, casks, &c.

By 22 *Geo.* 3. c. 68. no allowance shall be made to the common brewer, out of the duties on malt.

Table beer made from party guile shall be charged by the officers as strong beer. *Ibid.*

Brewers of such table beer shall give notice to the officers of excise of the time they intend to begin brewing; and in default, if they



they do not give a fresh notice, or if they do not continue brewing till the whole guile is finished, they shall forfeit 50*l.* *Ibid.*

Making any increase, after declaring the quantity and quality of such beer, is a penalty of 20*s.* a barrel, or three months imprisonment. *Ibid.*

Mixing such beer, after the gauge hath been taken, with any other beer, is a penalty of 50*l.* *Ibid.*

Table beer when cleansed into casks, shall be marked with the letter T. or shall be charged as strong beer. *Ibid.*

Such casks shall be kept separate from all other casks of beer, on penalty of 20*l.* *Ibid.*

Brewers of such table beer shall not sell any to other common brewers, on penalty of 20*l.* *Ibid.*

By 25 Geo. 3. c. 73. every person selling beer, in a less quantity than four gallons and a half, shall be deemed a retailer.

By 27 Geo. 3. c. 31. every barrel of *French* beer, ale, or mum, shall be deemed to contain thirty-six gallons.

### *Auctions.*

By 17 Geo. 3. c. 50. every auctioneer in the bills of mortality is to pay 20*s.* a year for a licence to use the trade; out of the bills, 5*s.* Brokers in *London* are to pay only 5*s.*

None are to act without a licence (in the bills of mortality) from the commissioners of excise, or from the collector and supervisor (in the country); which licence must be renewed annually. *Ibid.*

Acting without a licence, in the bills of mortality, incurs a penalty of 100*l.* out of the bills, 50*l.* *Ibid.*

Three pence half-penny in the pound shall be paid out of the purchase money, on sale by auction of interest in possession or reversion of freehold, copyhold, or leasehold lands, tenements, houses, or hereditaments, or annuities charged thereon; and of utensils in husbandry and farming stock, ships and vessels, and of any reversionary interest in the public funds, plate or jewels. 27 Geo. 3. c. 13.

Seven pence in the pound, shall be paid on the like sale of all furniture, fixtures, pictures, books, horses and carriages, and all other goods and chattels, sold by outcry, knocking down of hammer, candle, lot, parcel, or other mode of sale by auction, or whereby the best or highest bidder is the purchaser; such duty to be paid by the auctioneer, agent, factor, or seller by commission, out of the money raised thereby. *Ibid.*

In the limits of the excise office in *London*, the auctioneer (on having his licence) shall give bond in 200*l.* penalty; and in fourteen days after every auction, deliver a particular account of the money bid, and price of each lot, and shall swear to the truth, and at the end of the year the bond shall be delivered up. 17 Geo. 3. c. 50.

Out of the bills of mortality the bond is to be in 50*l.* penalty, and the account shall be delivered in six weeks. *Ibid.*

The

The auctioneer may make the conditions for the purchaser to pay the duty, and the act does not alter any contract between the buyer and seller. *Ibid.*

If the owner of the estate or goods be the buyer, by himself or agent, on notice having been previously given to the auctioneer, the duty is to be abated. *Ibid.*

Also goods from *British America* on first sale by the importer in twelve months, ships, tackle, apparel, and cargoes taken and condemned as prizes, and sold for the captors; ships and goods wrecked, and sold by the insurers or proprietors, or to defray the charges of salvage; sales for creditors, under deeds of trust, executed before 1st April, 1777, and by trustees under the insolvent act, 12 Geo. 3. c. 23. excepted. *Ibid.*

Sales of estates to be held by lease or copy of court roll, for life or years; and of woods, coppices, the produce of mines or quarries, and for cutting or working the same, and sales of materials used in working the same; and of cattle, live or dead stock, and unmanufactured produce of lands, sold by the proprietors or their agents, likewise excepted. *Ibid.*

By 19 Geo. 3. c. 56. none shall sell estates, goods or effects by auction, outcry or the like, without licence from the commissioners, collector, or supervisor of excise, at 20s. or 5s. as by the former act (besides a licence as dealer in plate) to be renewed annually, on pain of 50l. And the duties shall be charged in proportion for greater or lesser sums.

The duties are to be charged on the auctioneer immediately on closing the sale, and he is to give bond in 200l. penalty, to deliver an account to the commissioners of excise in *London*, (in twenty-eight days after the sale) on oath, or the bond to be put in suit; and in the country the like bond in 50l. penalty, and the account in six weeks after the sale. *Ibid.*

The auctioneer is to give notice of sales, and in twenty-four hours after, deliver an authentic catalogue thereof at the excise office, on penalty of 20l. *Ibid.*

If the sale of the estate is void through defect of title, the commissioners of excise, or justices of peace in the country, may relieve, on oath, against duties paid. *Ibid.*

Sales of estates or chattels by the order of chancery or the exchequer in *England*, courts of great sessions in *Wales*, or of session or exchequer in *Scotland*, and sales by the *East India*, or *Hudson's Bay* companies; commissioners of customs, or excise; board of ordnance; navy, or victualling; and goods distrained for rent, or non-payment of tithes; sales by lords of manors for granting of copyhold or customary estates for life, or years, and by the owners for life or years, and of woods, coppices, the produce of mines or quarries, or concerning the same, or the cutting or working thereof; and of cattle alive or dead, and the unmanufactured produce of lands by the proprietors, and of estates or goods sold by sheriffs for creditors, and by assignees of bankrupts; and of goods the produce of, and imported from,

from *British America*, on the first sale by the importer in twelve months, and of prizes, ships, cargoes, and wrecks, sold by insurers, for salvage, or to make good damage by fire, and goods under the insolvent act of 12 Geo. 3. in *Scotland*, excepted. *Ibid.*

On sale of goods seized by sheriffs, the same are to be enumerated in a catalogue certified by the sheriff, and bankrupts goods by assignees. No other goods are to be inserted therein, on penalty of 20*l.* and goods sold by insurers from fire, are to be certified by them, on the like penalty, one half to the king, the other to the informer. *Ibid.*

### Bricks and Tiles,

By 27 Geo. 3. c. 13. the following duties shall be raised upon all bricks and tiles made in *Great Britain*, to be paid by the maker thereof, viz.

			s.	d.	
For all bricks,	—	—	2	6	per 1,000
Plain tiles,	—	—	3	0	1,000
Pan or ridge tiles,	—	—	8	0	1,000
Paving tiles, small,	—	—	1	6	1,000
Ditto, large,	—	—	3	0	1,000
And all other tiles,	—	—	3	0	1,000

Which duties shall be drawn back upon exportation.

Duties shall be under the management of the commissioners of excise; and brick or tile makers shall give notice at the next office, of their names and places of abode, before they begin making, on forfeiture of 100*l.* 24 Geo. 3. c. 24.

Bricks and tiles shall be charged with the duties whilst they are drying, and before removed to the kiln; and obstructing the officers, is a penalty of 50*l.* *Ibid.*

Ten in every hundred shall be allowed for waste; makers who shall remove bricks or tiles to the kiln, before the officer has charged the duties, shall forfeit the same, and also 50*l.* except where the officer shall neglect to take an account thereof. *Ibid.*

Bricks and tiles not surveyed by the proper officer, shall be kept separate from others, on penalty of 50*l.* *Ibid.*

Concealing any bricks or tiles while making, in order to defraud his majesty, is a forfeiture thereof and of 20*l.* *Ibid.*

Officers may enter the fields, sheds, and places where bricks or tiles are making, and take an account thereof. *Ibid.*

Makers, every six weeks, shall enter, at the proper office, on oath, all bricks and tiles made by them; but they are not obliged to go further than the next market town. *Ibid.*

The duties are to be paid every six weeks, on penalty of double the value. *Ibid.*

Persons obstructing officers forfeit 50*l.* Bricks and tiles, and implements used in making the same, are liable to the duties in arrears. *Ibid.*

Bricks



Bricks or tiles, for which the duties have been paid, may be exported; and relanding bricks shipped for exportation, is a forfeiture thereof, besides the penalty in the bond. *Ibid.*

Persons exporting bricks and tiles, and making oath that the duties have been paid, shall receive a certificate from the collector, which shall be delivered to the customer of the port of exportation; who shall thereupon give to the exporter, a debenture, which shall intitle him to drawback. *Ibid.*

By 25 Geo. 3. c. 66. makers who shall remove bricks or tiles to the kiln, before the officer has charged the duties, shall forfeit the same, and also 50*l.*

Bricks and tiles not surveyed by the proper officer, shall be kept separate from others, on penalty of 50*l.* And all bricks or tiles while drying, shall be so placed that the officer may easily take an account thereof, on forfeiture of 50*l.* *Ibid.*

## Candles.

By 27 Geo. 3. c. 13. wax or spermaceti candles made in *England* are to pay a duty of 3½*d.* for every pound; and all other candles 1½*d.* a pound; which duties are drawn back upon exportation.

Rush-lights made by private persons for their own use, once drawn through grease or kitchen-stuff, are excepted. Oil shall not be used instead of candles (except oil made of fish within *Great Britain*) on pain of 40*s.* Places of making candles to be entered at the nearest excise office, on pain of 50*l.* Candles, and other materials, together with the coppers found in any private place to be forfeited, or the value thereof. The officer may enter by day or by night, and take an account of the stock, he is to report the same to the commissioners, and leave a copy of such report with the maker (if demanded in writing by 12 Geo. 1. c. 28.) on pain of 40*s.* 8 *Ann.* c. 9.

By the same act, the maker is to keep true scales and weights, on pain of 10*l.* or he may be sued under 10 Geo. 3. c. 44. for using improper ones, the penalty for which offence is 100*l.*

If any materials are missing, since the last survey, the officer is to charge the same, at the rate of 108*lb.* of candles, for every 112*lb.* of materials missing; obstructing the officer is a forfeiture of 20*l.* An allowance is to be made for candles spoiled in making. No candles are to be removed before surveyed on pain of 20*l.* and candles surveyed are to be kept separate. *Ibid.*

Candles are only to be sold in public shops, fairs, or markets, on pain of 5*l.* They may be exported and have the duty drawn back. Utensils for making candles are liable to the duties and penalties. *Ibid.*

By 10 *Ann.* c. 26. chandlers, before they begin to make a course of candles, shall declare to the officers the number of sticks, sizes, and moulds, on pain of 10*l.* and they are not to begin a course without notice given, unless within the hours of seven in the morning and five in

in the evening from *Michaelmas* to *Lady-day*; and within five in the morning and seven in the evening, during the other part of the year.

By 11 *Geo. 1. c. 30.* makers of candles using any melting house, without a particular entry, forfeit 100*l.*

Excise officers alone, between five in the morning and eleven in the evening, and with a constable, between eleven in the evening and five in the morning, may enter and search; if obstructed, the penalty is 100*l.* *Ibid.*

The penalty by this act for making candles, without notice, is 50*l.* and for mixing candles or removing them, before they are weighed, 100*l.*

By 23 *Geo. 2. c. 21.* officers may seize candles, on reasonable suspicion, that they were clandestinely made, or imported. Foreign candles unshipped before entry, or relanded after shipped for exportation, are forfeited, together with the vessels. Persons harbouring or concealing such candles, forfeit the same, and 50*l. per cwt.* Officers suspecting such candles to be concealed, may, by warrant, on oath before a justice, search any place.

No drawback shall be allowed on candles made beyond sea and re-exported. *Ibid.*

By 26 *Geo. 2. c. 32.* mariners taking candles on board, without the master's knowledge, their wages may be stopped, and on conviction, applied in payment of the penalty.

By 5 *Geo. 3. c. 43.* where the officer shall suspect candles to be privately making, or lie concealed, and shall state the cause of suspicion upon oath, a special warrant may be granted him to enter such places, and seize such candles, with all the materials, as forfeited. And where the duties shall not appear to have been paid, the parties forfeit 100*l.*

By 24 *Geo. 3. c. 11.* excise officers may enter the house, melting-house, or warehouse of candle-makers, and take an account of their stock; by day, or by night, without waiting for a constable; and obstructing them herein, is a penalty of 100*l.*

Every candle-maker who shall begin a course of mould candles, or make preparations for the same, without delivering a written declaration to the proper officer, of such his intention, shall forfeit 50*l.* *Ibid.*

The commissioners of excise, shall not compound with any persons for making candles for private use. *Ibid.*

By 24 *Geo. 3. c. 36.* candles seized for non-payment of duties, shall be rendered useless. \*

A duty of 5*l.* shall be paid for every licence for making wax or spermaceti candles, and 5*s.* for every licence to sell the same; to be taken out at the excise office, and renewed annually. *Ibid.*

Every person who shall make or sell such candles without taking out a licence, or renewing the same, shall forfeit 20*l.* But persons in partnership are not obliged to take out more than one licence, and persons who have taken out a licence for making such candles, may sell the same without any other licence. *Ibid.*

By

By 25 Geo. 3. c. 74. all candles made shall be entered at the nearest excise office, every week, upon oath, and the particulars shall be specified in the entry. Within a week after entry the candle-maker shall pay the duties, upon pain of double the amount thereof, and selling candles, before the duty is paid, is a forfeiture of double the value.

Chandlers, before they begin any making of candles, shall give notice to the officer when they shall begin to spread cottons, wicks, or rushes, and when they intend to dip the same, on pain of 50*l.* and if the chandler does not proceed at the time specified in such notice, the same shall be void. *Ibid.*

The penalty on persons assisting in making candles privately, is for the first offence 20*l.* or two months imprisonment; for the second offence 40*l.* or four months imprisonment. *Ibid.*

By 26 Geo. 3. c. 77. chandlers having begun to spread wicks, must proceed till all for the course are finished, and must begin to dip in five hours after beginning to spread, and continue to dip till the course is finished, on penalty of 50*l.* for failure in either case.

If notice specifies more than five hours after beginning to spread, from the commencement of dipping, it shall be void. *Ibid.*

By 27 Geo. 3. c. 31. entries of makers of candles shall not be deemed withdrawn while any duty remains unpaid.

Notwithstanding 24 Geo. 3. c. 11. officers shall not enter the houses of candle-makers from eleven at night to five in the morning, without a peace officer, unless the making of candles be unfinished, or notice depending. *Ibid.*

Candle-makers shall fix fastenings to their furnaces, to be locked by the officers, and shall provide a proper place for locking up their moulds by the officer. *Ibid.*

Six hours notice in town, and elsewhere twelve, shall be given of the intention of lighting copper fires, to the officer, who is to attend at the time mentioned; and if the fire be not lighted within an hour after the doors are opened, fresh notice shall be given. *Ibid.*

If sufficient fastenings to furnaces be not provided, or officers are obstructed in fixing or locking them, the offender shall forfeit 100*l.* and if moulds are not locked up, the candle-maker shall also forfeit 100*l.* *Ibid.*

## Coaches.

By 25 Geo. 3. c. 49. every coach-maker in Great Britain shall take out a 20*s.* licence, annually; and no coach, chaise, or other carriage, shall be made until the coach-maker has taken out such licence, which is to be granted by the commissioners of excise, if in London, and elsewhere by such persons as they appoint.

Licences are to be renewed annually, and persons making any carriage, without taking out a licence, or renewing the same yearly, shall forfeit 10*l.* *Ibid.*



Persons in partnership, need not take out more than one licence for one house, and executors may act under the licences of deceased persons. *Ibid.*

A duty of 20s. shall be paid for every four wheeled carriage made for sale; and 10s. for every two wheeled one; to be under the management of the commissioners of excise. *Ibid.* and 27 Geo. 3. c. 13.

Coach makers, every six weeks, shall deliver an account, on oath, of all carriages made and sold, to the nearest excise office, and then and there pay the duties, on pain of 20l. 25 Geo. 3. c. 49.

### Glass.

By 27 Geo. 3. c. 13. there shall be paid a home duty, upon all materials for making of plate or flint glass, and of all enamel, stained or paste glass, and of all phial glass, 1l. 1s. 5d.  $\frac{1}{2}$  per cwt., broad glass 8s.  $\frac{1}{2}$ —crown glass 16s. 1d.  $\frac{1}{4}$ —German sheet glass 16s. 1d.  $\frac{1}{4}$ —common bottle glass 4s.  $\frac{1}{4}$ .

By 27 Geo. 3. c. 28. the following duties are to be paid on the importation of glass, over and above the present duties, viz. for every square foot of French plate glass, 1s. 5d.  $\frac{1}{2}$ —for every cwt. of French flint glass, 1l. 9s.—for every cwt. of French broad glass, 8s. 1d.—for every cwt. of French crown, or German sheet glass, 19s. 10d.—for every cwt. of French bottles, 4s.  $\frac{1}{2}$ —for every cwt. of plate glass, or other glass not otherwise enumerated, 1l. 8s.—The duties are to be paid by the importer, be under the management of the commissioners of excise, and carried to the consolidated fund.

And the following drawbacks shall be paid on the exportation of glass made in Great Britain viz. for every square foot of plate glass 1s. 5d.  $\frac{1}{2}$ —for every cwt. of flint glass, or enamelled, stained, or paste glass, or phial glass 1l. 9s.—for every cwt. of broad glass, 8s. 1d.—for every cwt. of crown or German sheet glass, 19s. 10d.—and for every cwt. of common bottles, 4s.  $\frac{1}{2}$ . *Ibid.*

In lieu of the present duty of excise, there shall be paid at the rate of 1l. 1s. 5d.  $\frac{1}{2}$  for every cwt. of cast plate glass made in Great Britain, which shall be squared into plates of a superficies not less than 1485 inches: and such glass shall be 10-20ths of an inch in thickness, if the superficies be 6147 square inches; 9-20ths of an inch thick, if the superficies be under 6147, and not less than 5215 square inches; 8-20ths of an inch thick, if the superficies be under 5215, and not less than 4282 square inches; 7-20ths of an inch thick, if the superficies be under 4282 and not less than 3350 square inches: 6-20ths of an inch thick, if the superficies be under 3350 and not less than 2417 square inches; and 5-20ths of an inch thick, if the superficies be under 2417, and not less than 1485 square inches. *Ibid.*

Notice of the intention to draw cast plate glass out of the annealing arch, six hours within the limits of the chief office, elsewhere  
twelve

twelve, shall be given to the officer, on pain of 50*l.* But if such glass be not drawn out of the annealing arch within one hour of the time mentioned in the notice, it is void. *Ibid.*

If glass be not squared and weighed as before directed, the officer shall charge the duty thereon at the rate of 1*l.* 1*s.* 5*d.*  $\frac{1}{2}$  for every *cwt.* of the materials; at which rate he is to make a charge on the materials in every case where the plates do not weigh two thirds of the weight of such materials. *Ibid.*

All cast plate glass not squared into plates, shall be broken into small pieces, on penalty of 50*l.* and if cast plate glass be removed before the duty is charged, the maker shall forfeit 50*l.* and the glass. *Ibid.*

An account shall be kept by the maker, of the waste of the materials in making the several sorts of glass, from July 1, 1787, till January 1, 1788, to be within six weeks after sent to the commissioners of excise, verified upon oath. *Ibid.*

Makers of glass shall enter their names, furnaces and places for making or keeping glass; on pain of 50*l.* *Ibid.* and 19 Geo. 2. c. 12.

And they are to give notice to the excise officer before they charge their pots, on the like penalty: if after notice given and gauge taken, any material is put into any pot, the penalty is also 50*l.* *Ibid.*

The officer may enter and survey by day or by night; and the maker shall keep just scales and weights, and assist the officer therewith, on pain of 50*l.* 19 Geo. 2. c. 12.

And by 10 Geo. 3. c. 44. using insufficient ones is a penalty of 100*l.*

The officer may take samples out of each pot, paying an half-penny per ounce, if obstructed the penalty is 50*l.* 17 Geo. 3. c. 39.

Makers within the bills of mortality shall monthly, and elsewhere, once in six weeks, enter the quantities of materials used, on pain of 20*l.* and within the like space of time after entry, pay off the duties; on pain of double duty. 19 Geo. 2. c. 12.

But glass spoiled in making shall be allowed for. *Ibid.*

The makers shall be allowed for waste, in pots containing more than *cwt.* of materials for making of flint, enamel, stained and phial glass one fourth of the materials and one inch at the bottom of the pot.—In small pots called *pile ends* one fifth only of the materials. In making of crown and plate glass and all window glass, the allowance is one fourth of the materials, and four inches at the bottom. In making of common bottles, one fifth of the materials and three inches at bottom. But glass-makers may work up materials left in the bottom of their pots, on giving six hours notice to the officer, in which case they are to pay the duty and have an allowance of only one inch at bottom. The penalty on doing it without notice is 50*l.* 17 Geo. 3. c. 39.

Glass may be exported, and have the duty drawn back, but re-landing the same, or shipping broken glass to get the drawback is 100*l.* penalty. *Ibid.*

None

None but *British* made glass shall be imported into *Ireland*, and none shall be exported from thence, on forfeiture thereof, the ship and 10*s.* per lb. 19 *Geo.* 2. c. 12. See title *Ireland*.

No person in the glass trade to act as a magistrate under these acts. 17 *Geo.* 3.

By 25 *Geo.* 3. c. 69. the duty on flasks, in which *Florence* wine or oil is imported, is repealed; and by 27 *Geo.* 3. c. 32. no act shall extend to charge with any duty any flasks in which wine or oil shall be imported.

By 26 *Geo.* 3. c. 77. glass may be exported on the exporter's giving twelve hours notice to the excise office; and on an excise officer's attending to see such glass packed, which is to be sealed by the officer. Persons opening packages after being sealed by the officer, shall forfeit 20*l.*

If packing is not begun in an hour after notice, a fresh notice must be given. Notice also must be given of the time of shipping, and security that the glass shall not be relanded in *Great Britain*. Certificate shall be given by the officer, which is to intitle the exporter to the drawback. *Ibid.*

Officers may examine packages, and glass relanded shall be forfeited. *Ibid.*

## Hops.

By 27 *Geo.* 3. c. 13. a duty of 1*d.*  $\frac{1}{20}$  per pound shall be paid for hops grown in *England*, within six months after cured, and put into bags.

By 9 *Ann.* c. 12. planters of hops shall enter the places where they grow, yearly before *August* 1, on pain of 40*s.* per acre. No place shall be kept for keeping or curing of hops without notice on pain of 50*l.* Hops are to be taken to the oasts for curing within six weeks after gathering, on pain of 5*s.* per pound. Officers may enter and survey; and if obstructed, the penalty is 20*l.*

The officer shall attend the bagging and weighing, and mark the weight on the bag, and make entry and return accordingly, a copy whereof is to be left with the planter, on pain of 5*l.*—10*l.* per cent. shall be allowed for tare of the bag, and the planters are to clear the duties in six months, or pay double. *Ibid.*

Hops are not to be removed before the duty is ascertained, on pain of 50*l.* and fraudulently concealing the same, forfeits 20*l.* *Ibid.*

Hop pickers carrying off any hops shall forfeit 5*s.* per pound, or be sent to hard labour for a month. *Ibid.*

Persons obstructing any officer in his duty are to forfeit 5*l.* or be sent to hard labour for a month. *Ibid.*

Hops shall be chargeable with all duties in arrear. Rebagging foreign hops in *British* bags, forfeits 10*l.* per hundred weight, and using a bag with the excise mark, twice, is a penalty of 40*l.* *Ibid.*

There shall be no drawback on hops, (except *British*) exported to *Ireland*: and no hops shall be imported there (except *British*) on forfeiture thereof, and of the ship. *Ibid.*



By 1 Geo. 1. Stat. 2. c. 12. masters of ships carrying hops to *Ireland*, shall take a duplicate of the content from the collector in *England*, to be delivered to the proper officer in *Ireland* on oath, on forfeiture of the hops, and 10 s. per pound.

By 6 Geo. 1. c. 11. the duty on *British* hops shall not be drawn back on exportation for *Ireland*.

By 6 Geo. 1. c. 21. planters of hops shall give notice of the precise time of bagging and weighing hops, and twenty-four hours notice is to be given of bagging and weighing in the first week, and forty-eight hours for every other bagging, on pain of 50 l.

Planters of hops shall keep just scales and weights, on pain of 20 l. *Ibid.*

Hops may, on notice, be put into casks, and an officer of excise shall attend. *Ibid.*

By 26 Geo. 3. c. 5. *British* hops may be exported to *Ireland*, before duties paid, on giving proper notice, if not exported agreeable to notice, a fresh one to be given. Security to be given that the hops shall not be reloaded. Exporter to make oath, that he believes the duties have been duly charged. Particulars to be complied with before any debenture shall be granted for a drawback. Collector to pay the drawback. Taking a false oath deemed perjury. Hops reloaded, after giving security, shall be forfeited. The act not to authorise exporting of hops to any place, or in any manner not heretofore allowed, except as in this act is expressly provided. No additional drawback to be allowed.

## Leather.

By 27 Geo. 3. c. 13. the following duties are payable on all *hides* and *skins*, viz.

Hides and skins of what kind soever, and calves skins, kips, hogs, dogs, and seal skins, tanned, with sheep and lamb skins, tanned for gloves, and bazils, the lb. 1½ d.

Goat skins, tanned with shumac, or otherwise, to resemble *Spanish* leather, the lb. 4 d.

Sheep skins, which shall be tanned for roans, after the nature of *Spanish* leather, the lb. 2 d.

Hides of horses, mares, and geldings, dressed in allum and salt, or meal, or otherwise tawed, each 1 s. 6 d.

— of steers, cows, or any other hides, of what kind soever, dressed as aforesaid, each 3 s.

Calve skins, kips, and seal skins, dressed as aforesaid, the lb. 1½ d.

Slink calve skins, dressed as aforesaid in the hair, the dozen 3 s.

Slink calve skins, dressed or tawed without hair, dogs skins, tawed as aforesaid, kid skins tawed, (except such kid skins as paid the full duty on the importation) the dozen 1 s.

Buck and doe skins (except such as paid the full duty on importation) dressed in allum and salt, or meal, or otherwise tawed, the lb. 6 d.

Goat skins and beaver skins, dressed as aforesaid, the dozen, and sheep and lamb skins, dressed as aforesaid, the lb.  $1\frac{1}{4}d$ .

All other hides, skins, and pieces of hides and skins, tanned or tawed in *Great Britain*, not hereinbefore particularly charged, for every 100*l.* of the value thereof 30*l.*

All hides and skins, and all deer skins, goat skins, and beaver skins, dressed in oil, the lb. 6*d.*

Calve skins, dressed in oil, the lb. 8*d.*

Sheep and lamb skins, dressed in oil, the lb. 3*d.*

All other skins, and parts or pieces of skins, dressed in oil, not already charged, for every 100*l.* of the value thereof 15*l.*

For such last mentioned hides and skins, and pieces of hides and skins, dressed in oil, the lb. 2*d.*

*Drawback* of two thirds of the duties on the exportation of all hides, calve, sheep, and lamb skins, tanned or tawed.

— on the exportation of hides, calve, and seal skins curried, the lb. 1*d.*

— on the exportation of tanned leather, chargeable to duty by weight, when manufactured into goods, the lb.  $15\frac{1}{2}d$ .

*Drawback* of two thirds of the duty on every pound of tawed leather, when made into boots, shoes, gloves, or other manufactures.

Vellum, the dozen skins, pay 3*s.*  $5\frac{1}{2}d$ .

Parchment, the dozen skins, 1*s.*  $8\frac{1}{4}d$ .

By 2 *Ann. c. 11.* collar makers, gloves, bridle cutters, and others who dress in oil, allum, and salt, or meal, or other ingredients, shall be deemed tawers or dressers.

By 9 *Ann. c. 11.* tanned hides or skins are such as are tanned with bark or shumac; dressed in oil, such as are made into leather chiefly in oil; tawed, such as are made in allum and salt, or meal.

The duty, *ad valorem*, shall be ascertained upon oath according to the price of the next market. *Ibid.*

No leather to be twice charged; and notice is to be given of places of working, on pain of 50*l.* and not making the entry is 20*l.* penalty. *Ibid.*

\* Officers may enter and survey, and if refused 10*l.* penalty; notice likewise is to be given of removing from the wooze to the place of drying, on pain of 20*l.* and forfeiture of the goods. *Ibid.*

Concealment is 20*l.* penalty, and forfeiture of the goods. *Ibid.*

Tanners are to keep scales and weights, and assist the officers in weighing, on pain of 50*l.* The duty to be ascertained before removal, and charged by the officer and marked. *Ibid.*

Removing before marked 50*l.* penalty; and counterfeiting the stamp felony without clergy. *Ibid.*

Leather stamped shall be kept separate, on pain of 10*l.* 5 *Geo. 1. c. 2.* and shall not be removed till twenty-four hours after, on pain of 20*l.* that they may be reweighed by the supervisor; and if any additional weight, the duty to be charged for the same. 5 *Geo. 3. c. 43.*

The tanners shall keep scales and weights for weighing, and shall bring the leather thereto, and assist the officer, on pain of 50*l.* *Ibid.*

Persons

Persons in town shall pay off the duties within fourteen days, elsewhere within six weeks, on pain of double duty. 9 Ann. c. 11.

Tanners shall balance accounts of leather charged, and in the wooze, once in three months, with the officer, if required, on pain of 50*l.* *Ibid.*

Two justices may levy the penalties, or mitigate them to a fourth, with appeal to sessions, but no certiorari.

## *New Licences to be taken out by Dealers in exciseable Commodities.*

By 24 Geo. 3. c. 41. the following duties on licences shall be paid to his majesty, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For small beer brewers — — —	1	0	0
Strong beer brewers, who brew yearly not more than 1000 barrels — — —	1	10	0
Ditto between 1000 and 2000 barrels — — —	2	0	0
Ditto between 2000 and 5000 barrels — — —	5	0	0
Ditto between 5000 and 7500 barrels — — —	7	10	0
Ditto between 7500 and 10,000 barrels — — —	10	0	0
Ditto between 10,000 and 20,000 barrels — — —	20	0	0
Ditto between 20,000 and 30,000 barrels — — —	30	0	0
Ditto between 30,000 and 40,000 barrels — — —	40	0	0
Ditto exceeding 40,000 barrels — — —	50	0	0

Every distiller of low wines or spirits, and every rectifier, shall take out a licence, and pay after the rate of one half-penny for every gallon in every still in his possession.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Brandy dealers, not being retailers or rectifiers, shall pay — — — — —	5	0	0
Makers of mead for sale — — — — —	1	0	0
Makers of other sweets — — — — —	5	0	0
Makers of vinegar — — — — —	10	0	0

	<i>l.</i>	<i>d.</i>	<i>d.</i>
Maltsters who make not more than 50 quarters annually — — — — —	0	5	0
Between 100 quarters and 150 quarters — — — — —	0	15	0
Between 150 quarters and 200 quarters — — — — —	1	0	0
Between 200 quarters and 250 quarters — — — — —	1	5	0
Between 250 quarters and 300 quarters — — — — —	1	10	0
Between 300 quarters and 350 quarters — — — — —	1	15	0
Between 350 quarters and 400 quarters — — — — —	2	0	0
Between 400 quarters and 450 quarters — — — — —	2	5	0
Between 450 quarters and 500 quarters — — — — —	2	10	0
Between 500 quarters and 550 quarters — — — — —	2	15	0
More than 550 quarters — — — — —	3	0	0
M 2			Candle



				<i>l.</i>	<i>s.</i>	<i>d.</i>
Candle makers (except wax)	—	—	—	1	0	0
Soap makers	—	—	—	2	0	0
Paper stainers and makers	—	—	—	2	0	0
Callico printers	—	—	—	10	0	0
Starch makers	—	—	—	5	0	0
Wire drawers	—	—	—	2	0	0
Tanners, if within the bills of mortality,	—	—	—	5	0	0
— Elsewhere	—	—	—	2	10	0
Tawers	—	—	—	1	0	0
Dressers of hides in oil	—	—	—	2	0	0
Curriers	—	—	—	2	0	0
Vellum makers	—	—	—	1	0	0
Every glass-house	—	—	—	10	0	0

Strong beer brewers, when they first set up as such, shall pay for a licence 1*l.* 10*s.* and an additional duty annually according to the quantity brewed; but brewers who withdraw their entries, and make fresh ones, shall pay the whole duty. *Ibid.*

Maltsters, who shall first commence making thereof, shall pay 5*s.* for a licence, and an additional duty annually according to the quantity made; but maltsters who withdraw their entries, and make fresh ones, shall pay the whole duty. *Ibid.*

No person shall make any of the aforesaid commodities without a licence, nor deal in brandy without a 5*l.* licence, which are to be granted by the commissioners of excise, and renewed annually. *Ibid.*

Persons making any of the said commodities, without taking out a licence, and renewing the same annually, are liable to the following penalties: Corn distillers 200*l.* strong beer brewers, vinegar makers, callico printers, and glass makers, 50*l.* melasses distillers, rectifiers, brandy dealers, makers of sweets, starch makers, and tanners, 30*l.* soap makers, paper stainers, wire drawers, dressers of hides, and curriers, 20*l.* and small beer brewers, maltsters, makers of mead, chandlers, tanners, and vellum and parchment makers, 10*l.* *Ibid.*

But persons in partnership need take out only one licence for one house. *Ibid.*

### *Linen Cloth, Silks, and Cottons.*

By 27 Geo. 3. c. 13. the following duties are payable thereon, viz.

Foreign callicoes and muslin, printed, stained, painted, or dyed, in Great Britain or French imported directly into Great Britain (except such as shall be dyed throughout of one colour only) the yard square, 7*d.*

Linens and stuffs, made either of cotton or linen, mixed with other materials, fustians, velvets, velverets, dimities, and stuffs, commonly called *British* manufactory, and *British* muslins, and figured stuffs, made wholly of cotton, or of cotton and other materials mixed, which shall be wove and printed, stained, painted, or dyed,

dyed, in *Great Britain*, (except such as shall be dyed throughout of one colour only, and stuffs made of woollen, or whereof the greatest part in value shall be woollen) the yard square,  $3\frac{1}{2}d$ .

Linens and stuffs, *French*, made either of cotton or linen entirely, or mixed with other materials, figured, printed, stained, painted, or dyed, and imported directly into *Great Britain*, (except such as are dyed throughout of one colour, and stuffs made of woollen, cotton, or silk mixed) the yard square,  $3\frac{1}{2}d$ .

Silks printed, stained, or painted, in *Great Britain* (handkerchiefs excepted) for every yard in length, half yard wide,  $1s. 1\frac{1}{2}d$ .

Silk handkerchiefs printed, stained, painted, or dyed in *Great Britain*, the yard square,  $4\frac{1}{2}d$ .

*Drawback* of the whole duty, upon exportation of any of the goods printed, stained, painted, or dyed in *Great Britain*.

By 7 *Geo. 1. stat. 1. c. 7.* no one shall use or wear any printed callico on pain of 5*l.* to the informer; nor shall any be put to sale, or made into furniture (except for exportation) on pain of 20*l.*

Having the same in household furniture 20*l.* penalty; this does not extend to such as are dyed all blue; but it shall extend to stuff made of cotton, or mixed therewith; callico chequered or striped; or stitched or flowered abroad (mullins, neckcloths, and fustians excepted). *Ibid.*

But by 9 *Geo. 2. c. 4.* stuffs made of linen yarn and cotton, manufactured in *Great Britain*, if the warp be entirely linen, may be worn.

By 14 *Geo. 3. c. 72.* all persons may wear stuffs wholly made of cotton spun in *Great Britain*, and printed there.

To be marked with three blue stripes, wove in each piece on the selvage, and stamped by the commissioners of excise. *Ibid.*

Selling without the mark (except mullins, neckcloths and fustians) unless for exportation, to forfeit the goods and 50*l.* per piece. *Ibid.*

Not to extend to cotton velvets, velverets, or other fustians, commissioners of the excise to provide stamps, and death to counterfeit the same. *Ibid.*

Importing such stuffs, to forfeit the same, with 10*l.* per piece, selling counterfeit, death. Unstamped stuffs may be searched for and seized, and the proof to lay on the owner, a moiety of the penalties to the king, the other to the informer. *Ibid.*

By 7 *Geo. 3. c. 47.* ribbands and silks, printed, stained, or painted, though not half a yard broad, shall pay the duties, in proportion.

Houses and places of work shall be entered; on pain of 30*l.* 10 *Ann. c. 19.* and working before entry, 50*l.* penalty. 1 *Geo. 1. stat. 2. c. 36.*

Officers shall enter and take an account, and make a report, of which he is to give the printer, painter, or stainer a copy (if demanded) on pain of 40*s.* and obstructing him, 20*l.* penalty. 10 *Ann. c. 19.*

Entry shall be made of goods every six weeks on pain of 50*l.* the officer may charge for goods missing; and goods concealed are forfeited and 20*l.* *Ibid.*

The duties are to be paid within six weeks after entry; on pain of double value. *Ibid.*

Removing before stamped is a penalty of 20*l.* and forfeiture of the goods in whose hands found; goods surveyed shall be kept separate, on pain of 5*l.* and search may be made for unstamped goods. *Ibid.*

Goods found unstamped may be seized; and the possessor forfeits 50*l.* 5 *Geo.* 1. c. 11.

Counterfeiting the stamps *felony* without clergy, and selling with a counterfeit stamp knowingly 100*l.* penalty, and pillory. 10 *Ann.* c. 19. and 13 *Geo.* 3. c. 56.

Utenfils are liable. 10 *Ann.* c. 19.

The 4 *Geo.* 3. c. 37. established a manufactory of cambrick at *Winchelsea* and incorporated the subscribers.

Cambricks and lawns made in *England* to be sealed at both ends, by officers of excise. *Ibid.*

The manufacturer to give notice to the officer of the finishing of every piece, who is to mark the ends before taken out of the loom. Taking the same away before, penalty 5*l.* and loss of goods. *Ibid.*

Officer, on notice of the finishing any pieces of such goods, forthwith to mark the beginnings and ends, and set a number on each piece before taken out of the loom; and to make entry of the numbers, lengths, and the numbers of threads in the warp of each piece; on pain of 10*l.* *Ibid.*

Officers marking cambricks or lawns not made in *England*, or marking such goods after taken out of the loom, to forfeit 50*l.* and be incapacitated, bribing officers 100*l.* penalty, and pillory; offering a bribe 50*l.* *Ibid.*

Officers to transmit to the commissioners an account of the goods they stamp, and a copy of their entries annually, and are to deliver up seals on demand, on pain of 200*l.* *Ibid.*

*English* cambricks and lawns found unstamped, may be seized, and persons having them in custody, or offering them to sale, forfeit 200*l.* *Ibid.*

Persons counterfeiting the seal, or selling goods with a counterfeit seal guilty of *felony* without clergy. *Ibid.*

But 27 *Geo.* 3. c. 13. permits the importation, sale and wearing of foreign cambricks.

By 23 *Geo.* 3. c. 21. A bounty shall be paid on exportation of *British* and *Irish* buckrams and tilletings and linens, and *British* calicoes or cottons printed, stained, or dyed in *Great Britain*, to continue by 24 *Geo.* 3. *sess.* 1. c. 14. as long as the *Irish* give bounties thereon by act of parliament.

The bounties are for every yard of such articles, twenty-five inches or more broad, and under five-pence per yard value, *one half*.



*half-penny*: worth five-pence and under six-pence a yard, *one penny*: and worth six-pence and not more than eight-pence a yard, *three half-pence*, the value to be estimated before printed. *Ibid.*

By 25 Geo. 3. c. 72. printing, staining, painting, or dying linens without leaving notice thereof at the next office of excise, is a penalty of 50*l.* and persons obstructing officers in the execution of their duty forfeit 200*l.* *Ibid.*

Printing, staining, painting, or dying before the commodity has been measured and marked by the excise officer, is a penalty of 20*l.* per piece, and removing the same before they are stamped by the proper officer is a penalty of 50*l.* and such commodities are forfeited, if found in the possession of any draper, and defacing the frame mark is a penalty of 50*l.* *Ibid.*

Commodities not surveyed, shall be kept separate from those surveyed; on penalty of 50*l.* and concealing the same with intent to evade the duties is a like penalty and forfeiture of the goods. *Ibid.*

Keeping commodities in any place whereof no notice shall have been given to the officer, is a penalty of 50*l.* and forfeiture of the goods. *Ibid.*

Utensils are liable to duties, and the penalties and forfeitures; the duties shall be under the management of the commissioners of excise, who are to provide frame marks to denote the measure, and stamps to denote the duties, fraudulently counterfeiting stamps, is *felony*, without benefit of clergy. And persons selling commodities with a counterfeit stamp, is a penalty of 100*l.* and pillory. *Ibid.*

If stuffs are suspected to be in the custody of a draper, unstamped, the commissioners may issue their warrants to search for the same, and if found are forfeited. *Ibid.*

Cotton stuffs not having three blue threads in each selvage, shall be deemed foreign callicoes, and shall be stamped *foreign callicoes for exportation*. Drapers having in their possession such foreign callicoes unstamped, or stuffs called *British* manufactory, without the blue threads in the selvages, forfeit 200*l.* per piece. *Ibid.*

Every piece of stuff shall be marked before printed, on forfeiture thereof, and 10*l.* per piece. *Ibid.*

Name and place of abode of the owner, and name and quality of the goods shall be marked on stuffs liable to the duty, and the ready money price shall be marked on goods called *British* manufactory, before presented to the excise officer; and the owner shall deliver to the printer with the stuffs, an account of the number, quality and value of the pieces delivered, which is to be given to the excise officer before printing, &c. on penalty of 20*l.* for neglect of any of the above regulations, or marking stuffs at a price less than the real value. *Ibid.*

Frame marks unavoidably defaced may be renewed upon notice being given to the excise officer; and counterfeiting the frame mark is a penalty of 100*l.* *Ibid.*

Provisions of this act shall extend to the duties imposed upon silks by 10 *Ann. c. 19.* 12 *Ann. c. 9.* and 14 *Geo. 3. c. 72. Ibid.*

Persons who have paid, or have bought of those who have paid the duties, may export linens to foreign parts; no linens shall be packed up for exportation, but on notice to an officer, and security being given for exportation, and oath made that the duties have been paid, and a drawback of all the duties shall be allowed on exportation. *Ibid.*

Goods may be opened at the port of exportation by the proper officer: and unshipping goods (except through necessity) after shipped for exportation is a forfeiture thereof. *Ibid.*

By 27 *Geo. 3. c. 32.* *French* cambricks imported for exportation, before May 10, 1787, may be taken out of the warehouses, on payment of the difference between the sum paid on their being warehoused, and the duties imposed by 27 *Geo. 3. c. 13.* and such cambricks, not having been warehoused, may be delivered to the proprietors on their making entry thereof and paying the said duties, and no persons except those under prosecution, shall be prosecuted for having had *French* cambricks in their possession for sale, prior to May 10, 1787.

### Malt.

By 27 *Geo. 3. c. 13.* the following duties are payable thereon.

Malt, made of barley, or any other corn or grain, in *England*, the bushel, 9d.  $\frac{3}{4}$

Malt made in *Scotland*, the bushel 4d.  $\frac{1}{4}$   $\frac{1}{8}$

Malt brought from *Scotland* to *England* according to 33 *Geo. 2.* the bushel, 4d.  $\frac{3}{4}$   $\frac{1}{8}$ .

Malt brought from *Scotland* to *England*, without a certificate agreeable to the said act, the bushel, 9d.  $\frac{3}{4}$

Allowance on every quarter of malt made and locked up for exportation, according to 12 *Geo. 1. c. 3d.*

By 12 *Ann. stat. 1. c. 2.* a round bushel 18 $\frac{1}{2}$  inches wide throughout, and 8 deep, shall be deemed a *Winchester* bushel.

Places of making to be entered; on pain of 50*l.* and officers are to enter and survey; maltsters refusing forfeit 20*l.* and the officer is to leave a copy of his gauge, if demanded, on pain of 40*s.* *Ibid.*

By 1 *Geo. 1. stat. 2. c. 2.* obstructing the officer is a penalty of 10*l.*

Grain making into malt, to be measured by the gauge and not by the bushel. 12 *Ann. stat. 1. c. 2.*

Corn forced together in the cistern, to prevent rising, forfeits 5*s.* for every bushel. 1 *Geo. 3. c. 3.*

Any maltster, mixing malt of different wettings, to forfeit 5*s.* for every bushel. 2 *Geo. 2. c. 1.*

Any maltster mixing unmalted grain, with malt, to forfeit 5*s.* for every bushel. 1 *Geo. 1. stat. 2. c. 2.*

Mixing malt gauged, with malt ungauged 100*l.* penalty. 1 *Geo. 3. c. 3.*

Concealing

Concealing malt to avoid the duty is a forfeiture of 10*s.* a bushel. 12 *Ann. stat.* 1. c. 2.

Concealing malt to avoid being gauged in the couch, 100*l.* penalty. 1 *Geo.* 3. c. 3.

An allowance shall be made of four bushels in twenty for malt swelling in the cistern; and corn growing upon the floor, and gauged there, ten bushels out of twenty for the difference between the quantity when it is making on the floor, and when it is dried. 12 *Ann. stat.* 1. c. 2.

Maltster not suffering the grain in the cistern to be covered with water, and remain there forty hours, is not intitled to the allowance of four bushels in twenty. 33 *Geo.* 2. c. 7.

They are to give due notice to the officer, before their wetting any corn for malt; and if they do not keep their time, they are to give fresh notice; and the wetting shall be between four in the morning and nine in the evening. 100*l.* penalty of omitting their duty in the premisses; or being guilty of any fraudulent transaction therein. 3 *Geo.* 3. c. 13.

Entries of malt made are to be made monthly; on pain of 10*l.* and the duties paid within four months after; on pain of double duty. 12 *Ann. stat.* 1. c. 2.

After the duty is paid, on proof that the malt was damaged, or lost by accident, an allowance, and drawback shall be made. *Ibid.*

No malt entered for exportation only, shall be charged with the duties on malt, nor any drawback allowed on exportation. 12 *Geo.* 1. c. 4.

For every twenty quarters of grain made into malt for exportation, there shall be allowed thirty quarters of malt only. 1 *Geo.* 3. c. 3.

Notice shall be given before wetting corn to make malt for exportation, on pain of 50*l.* to be kept separate from that for home consumption; on pain of 5*s.* a bushel: and not to begin wetting till six days after either is dried off; on pain of 5*s.* a bushel. 12 *Geo.* 1. c. 4.

Malt of one steeping to be kept separate till measured in presence of an officer; on pain of 50*l.* 3 *Geo.* 2. c. 7. the officers may at any time enter and survey, 12 *Geo.* 1. c. 4.

Opposing them 50*l.* penalty. *Ibid.*

Notice to be given of taking malt off the kiln, and after measured, it shall (on pain of 50*l.*) be put on shipboard, or into warehouses under locks and keys. *Ibid.*

And opening such warehouse privately. 100*l.* penalty. 3 *Geo.* 2. c. 7.

When the proprietor wants to export the malt, he is to give forty hours notice to the officer, who is to attend the measuring and delivery. 12 *Geo.* 1. c. 4.

The officer is to take an account thereof, and give a certificate, to be filed by the officer of the division of removal, and the proprietor not delivering the same, forfeits 50*l.* *Ibid.*

Forty-eight hours notice to be given of shipping, on pain of 5*s.* a bushel; and during the shipping the hatches shall be locked down by



by the proprietor and officer, till sailing. Opening the hatchet 50*l.* penalty; and the officer shall continue on board till sailing. *Ibid.*

Re-landing, besides the bond, is a forfeiture of the malt and treble value. 1 *Geo.* 3. c. 3.

Storehouses for malt for exportation, shall be cleared every nine months, on pain of 50*l.* 3 *Geo.* 2. c. 7. or 5*s.* a bushel, 12 *Geo.* 1. c. 4. and by 1 *Geo.* 3. c. 3. to be cleared in fifteen months, on pain of 50*l.*

Any person who shall ship unmalted oats or barley, mixed with malt, for exportation, to forfeit 5*s.* for every bushel, 6 *Geo.* 1. c. 21.

Ground malt exported to be computed as before ground, 12 *Ann.* stat. 1. c. 2.

Malt imported from beyond sea forfeited. Where rent is payable in malt, the tenant may deduct as much as the duty amounts to. And malt is liable to the duties and penalties. *Ibid.*

All compositions for making malt for private families shall cease. 23 *Geo.* 3. c. 64.

### Paper and Pasteboards.

By 27 *Geo.* 3. c. 13. paper printed, painted, or stained, in *Great Britain*, to serve for hangings and other uses, shall pay one penny and three farthings a yard, to be paid by the stainer.

By 1 *Geo.* 1. stat. 2. c. 36. before any paper be painted, stained, or used for hangings, the excise officer shall take an account of, and stamp the same; and if missing afterwards, shall charge it with the duties: and paper removed before stamping, forfeits 20*l.*

By 27 *Geo.* 3. c. 13. the following duties shall be paid on all paper made in *Great Britain*, viz.

FIRST TABLE.

Denomination. Writing.	Value per Ream.			Dimensions. Inches.		Duty per Ream.		
	£.	s.	d.			£.	s.	d.
Imperial —	2	11	0	22	by 30½	0	13	9½
Super-royal —	1	18	0	19½	27½	0	10	4½
Royal — —	1	9	0	19½	24	0	7	9½
Medium — —	1	2	6	17½	22½	0	6	4
Demy — —	0	16	0	15½	20	0	4	3½
Thick post —	0	13	0	15½	19½	0	3	5½
Thin post —	0	10	0	15½	19½	0	2	8½
Small post —	0	7	6	13½	16½	0	2	0½
Foolscap — —	0	10	0	13½	16½	0	2	3½
Pot — —	0	6	9	12½	15½	0	1	6½
Large thick post —	0	15	0	16½	21	0	3	10
Large thin post —	0	12	0	16½	21	0	3	0½

SECOND

## SECOND TABLE.

Denomination. Writing, or copper-plate printing.	Value per Ream.	Dimensions. Inches.	Duty per Ream.
£. s. d.	£. s. d.		£. s. d.
Double atlas — —	15 0 0	55 by 31½	2 6 0
Demy — —	0 12 0	15½ 20	0 2 8½
Copy, or bastard — —	0 7 6	16 20½	0 1 6½
Foolscap — —	0 6 0	13½ 16½	0 1 3
Littr's foolscap — —	0 6 0	13½ 17½	0 1 3
Pot — —	0 4 0	12½ 15½	0 0 11½
Grand eagle, or dble elephant	4 0 0	26½ 40	0 17 3
Colombier — —	2 10 0	23½ 34½	0 12 1
Atlas — —	3 0 0	26½ 34	0 17 3
Atlas — —	2 0 0	26½ 34	0 10 4½
Small atlas — —	1 10 0	25 31	0 8 0½
Imperial — —	1 10 0	22 30½	0 7 5½
Super-royal — —	1 5 0	19½ 27½	0 5 9
Long royal — —	1 0 0	27½ 18	0 4 7½
Royal — —	0 18 0	19½ 24	0 4 0½
Demy — —	0 13 0	17½ 22	0 2 8½
Short demy or crowns —	0 9 0	{ 14 20½ } or { 15 20 }	{ 0 1 11 }
Large fan — —	0 14 0	23½ 20½	0 3 5½
Small fan — —	0 11 0	22½ 13½	0 2 7
Elephant — —	0 15 0	23 28	0 3 5½
Paper for the bank, or bankers bills or notes, allowing two in each sheet, and so in proportion, per ream,			{ 0 3 5½ }

## THIRD TABLE.

Printing.	Value per Bundle.	Dimensions. Inches.	Duty per Bundle.
£. s. d.	£. s. d.		£. s. d.
Double demy — —	1 18 0	26 by 38½	0 8 4
Royal — —	1 4 0	{ 19½ 24½ } or { 20 26 }	{ 0 5 4½ }
Royal inferior — —	0 14 0	19½ 24½	0 3 0½
Medium — —	1 0 0	18 23	0 4 2½
Demy single — —	0 17 0	{ 17½ 22 } or { 19½ 21½ }	{ 0 3 10 }
Demy inferior — —	0 10 0	17½ 22	0 2 3½
Double crown — —	0 17 0	20 30	0 3 5½
Double crown inferior — —	0 12 0	20 30	0 2 8½
Single crown — —	0 13 0	15 20	0 3 0½
Single crown inferior — —	0 8 0	15 20	0 1 11

Demy

							£.	s.	d.
Demy tissue	—	—	0	8	0	17½	22	0	1 11
Crown tissue	—	—	0	5	0	15	20	0	1 3
Double pot	—	—	0	9	0	17	25½	0	2 3½

FOURTH TABLE.

Denomination.				Dimensions.		Duty per
Ordinary and coloured.				Inches.		Ream.
						£. s. d.
Cartridge	—	—	—	21 by 26		0 2 8½
Cartridge square	—	—	—	24½ 25½		0 3 0½
Cartridge	—	—	—	19½ 24		0 2 3½
Elephant common	—	—	—	23 28		0 1 11
Sugar blue	—	—	—	21½ 33		0 3 0½
Ditto smaller size	—	—	—	18½ 27		0 2 3½
Ditto demy size	—	—	—	17½ 22		0 1 11
Ditto crown size	—	—	—	15 20		0 1 11
Purple royal	—	—	—	19½ 24½		0 1 6½
Blue elephant	—	—	—	23 28		0 2 3½
						per Bundle.
Blue royal	—	—	—	19½ 24½		0 3 0
Blue demy and blossom	—	—	—	17 22		0 2 0½
Blue crown, single	—	—	—	15 20		0 1 1½

FIFTH TABLE.

Whited Brown and Browns.				Dimensions.		Duty per
				Inches.		Ream.
						£. s. d.
Royal hand thick	—	—	—	24 by 19½		0 1 4
						per Bundle.
Royal hand	—	—	—	24 19½		0 1 6½
Lumber hand	—	—	—	23 18		0 1 6½
Double two pound	—	—	—	24 16		0 1 1½
Single two pound	—	—	—	16 11		0 0 5½
Middle hand double	—	—	—	33 22		0 2 3½
Middle hand	—	—	—	22 16		0 1 1½
Small hand double	—	—	—	32 20		0 1 6½
Small hand	—	—	—	19½ 16		0 0 9½
Couples pound and half	—	—	—	12 or 9	10 7½	0 0 5½
						per Ream
Imperial cap	—	—	—	29 22		0 1 6½
Havon cap	—	—	—	24 20		0 1 1½
Bag cap	—	—	—	23½ 19		0 0 11½
Kentish cap	—	—	—	21 18		0 0 9½
Four pounds	—	—	—	20 16		0 0 9½
						Small



				Dimensions.		Duty per
				Inches.		Ream.
Small cap	—	—	—	20	15	0 0 5½
Double four pounds	—	—	—	33	20	0 1 6½
						per Bundle.
Single two pounds	—	—	—	16	11	0 0 9½
Couples pound and half	—	—	{	12	10	{ 0 0 5½
				9	7½	
				or		
Pastboard, millboard, and scaleboard, and glazed paper						{ 0 6 10¾
for clothiers and hot pressers, per cwt.						

The duties on the sixty-five sorts of paper mentioned, shall be paid by the maker, to the commissioners of excise. *Ibid.*

A ream to consist of twenty quires, of twenty-four sheets each, except double demy for newspapers, which is to consist of twenty-five sheets per quire; and a bundle is to consist of forty quires of twenty-four sheets each, except as above, and the duty to be paid according to the dimensions in the act, though the name should be altered, 21 Geo. 3. c. 24.

Paper paying duty to be marked, and a drawback allowed; and also to universities for all books printed by them in Latin, Greek, Oriental, or Northern languages. *Ibid.*

All paper shall be made up in reams and bundles, agreeable to this act, on penalty of 50*l.* and forfeiture of the paper. *Ibid.*

Paper-makers shall give written notices to the proper officers of their names, places of abode, storehouses, &c. on penalty of 50*l.* *Ibid.*

Paper-makers shall make regular entries, on oath, every six weeks, of all paper made by them, on penalty of 50*l.* and the duties shall be paid within six weeks after entry, on penalty of double the duty. *Ibid.*

Officers may enter the houses, yards, mills, &c. of paper-makers, and take an account of the quantity, and report the same to the commissioners, but the officers are to be sworn to act faithfully. *Ibid.*

Paper-makers shall keep just scales and weights, and assist officers in weighing their stock. Using false weights is a penalty of 100*l.* and not keeping them, 20*l.* *Ibid.*

Officers shall take an account of materials for making paper, and makers shall not remove their paper until the officer has taken an account thereof; on penalty of 50*l.* and forfeiture of the paper. *Ibid.*

Paper may be removed from the mill where made to any other mill, to be sized, with a proper certificate. *Ibid.*

If any paper shall be lost or damaged in transporting the same to a different part of the kingdom, after the duty is paid, a proportional allowance shall be made to the proprietor, as settled by the quarter sessions; but notice must be given to the collector previous to the application to the quarter sessions. *Ibid.*

Paper-makers shall give notice when they intend to have their paper charged with the duty. *Ibid.*

Officers are to attend agreeable to notice, when the makers are to produce their stock intended to be charged, marked with its value and denomination. *Ibid.*

Paper-makers who shall fraudulently mark any ream or bundle of paper brought to the officer to be charged, shall forfeit the same and 50*l.* *Ibid.*

The officer shall stamp such as are justly marked. *Ibid.*

Obstruſting officers in examining bundles, is a penalty of 50*l.* *Ibid.*

Paper-makers shall keep ſuch paper as has not been charged and marked, ſeparate from all other ſtock which has been charged by the officer, on penalty of 20*l.* *Ibid.*

Fraudulently concealing paper, paſteboard, or any materials for making the ſame, is a forfeiture thereof and of 50*l.* *Ibid.*

The whole ſtock in trade of paper-makers ſhall be liable to all debts and duties on paper and paſteboard made by them. *Ibid.*

Commiſſioners are to provide ſtamps for ſtamping ſuch paper for which the duty is paid; and all paper that ſhall be removed from one place to another without a proper ſtamp, ſhall be forfeited. *Ibid.*

Counterfeiting any ſtamp made in purſuance of this act; or ſelling any paper marked with a counterfeit ſtamp, is a forfeiture of 500*l.* and twelve months imprisonment. *Ibid.*

Exporter ſhall give notice to the proper officer of the customs, when and where he will put up the goods to be exported; who ſhall attend and take off the ſtamps. *Ibid.*

Perſons moleſting officers in the execution of this act, ſhall forfeit 50*l.* *Ibid.*

By 24 Geo. 3. c. 18. forty-eight hours notice muſt be given to the proper officer before paper is ſent to be ſized or finiſhed.

By 26 Geo. 3. c. 77. ſtamps denoting payment of duties ſhall be taken off paper on exportation, and perſons obſtruſting officers in taking them off, ſhall forfeit 50*l.*

By 26 Geo. 3. c. 78. the 10 Ann. c. 19. requiring paper-ſtainers to make entries, once in ſix weeks, of all paper ſtained, ſhall be repealed; and the entries ſhall be made every fortnight, on penalty of 50*l.*

The duties ſhall be paid within a fortnight after ſuch entries made, on penalty of forfeiting double the duties; and if goods are delivered before the duties are paid, double their value ſhall be forfeited. *Ibid.*

If paper be begun to be ſtained, before meaſured and marked, it ſhall be forfeited, and 20*l.* penalty incurred for every piece. *Ibid.*

Paper for which the duties ſhall have been charged before September 1, 1786, may be ſtamped before January 1, 1787, and afterwards every ſingle ſheet found in the poſſeſſion of a dealer, ſhall be deemed to have been ſtained after September 1, 1786, and may be ſeized if not ſtamped. *Ibid.*

After January 1, 1787, no drawback ſhall be allowed on paper ſtained before September 1, 1786, unleſs duly ſtamped. *Ibid.*

Pieces

Pieces cut for samples must be marked by the officer on every sample. Duties shall be charged as soon as paper is stained, and 50*l.* penalty shall be incurred for every piece of paper removed before stamped, with forfeiture of the paper. *Ibid.*

Officers shall charge the duties for paper missing. Paper not charged with the duties shall be kept separate, on penalty of 50*l.* and persons fraudulently concealing paper, shall forfeit 100*l.* *Ibid.*

The commissioners shall provide proper marks, and the officers in using them, shall do the least possible damage to the paper, and forging them is *felony* without clergy. *Ibid.*

Persons obliterating marks shall forfeit 50*l.* Affixing such as have been used, is a like penalty, and forfeiture of the paper. *Ibid.*

Persons keeping paper in any place, of which notice has not been given to the officer, shall forfeit 50*l.* and the paper. Warrants may be granted to search for paper suspected not to be duly stamped, which may be seized, but no remnant of a piece of less length than the frame mark, shall be forfeited, for not having stamps at both ends. Persons obstructing officers forfeit 50*l.* *Ibid.*

Paper not having the frame mark, or being marked at one end only, shall be forfeited, and also 50*l.* If paper stained before September 1, 1786, is exported, oath shall be made of the fact. And no paper stained afterwards, shall be permitted to be packed for exportation, unless legally marked, and officers shall measure paper exported, and cut off the marks. *Ibid.*

By 27 Geo. 3. c. 31. in lieu of the duty imposed on non-enumerated paper, by 27 Geo. 3. c. 13. there is to be paid as follows; for every sort, not above the largest size of the nearest of the same kind enumerated in the tables, the duty of the paper nearest above in size and value to such sort; and for every sort above the largest size of the nearest of the same kind and weight, a duty in proportion to its size.

### Plate.

By 32 Geo. 2. c. 24. no one shall deal in gold and silver plate, where the quantity in gold is two ounces or upwards, or where the quantity in silver is thirty ounces or upwards, unless he hath first paid *five pounds* for a licence.

Such licence to be taken out from the excise, and renewed annually ten days before the expiration of the former. *Ibid.*

Dealing without a licence, 20*l.* penalty; but the act does not extend to the dealing in small wares, in gold not more than two dwt. or in silver five dwt. *Ibid.*

Auctioneers and others selling plate, to be deemed traders; and so are pawnbrokers dealing in plate, and refiners. *Ibid.*

The licence shall extend only to the house where the party resides; but partners need not take out more than one licence. *Ibid.*



## Soap.

By 27 Geo. 3. c. 13. the following duties are payable thereon, viz.

Hard cake soap, or ball soap, the lb.  $2\frac{1}{4}$  d.

Allowance for every lb. of ditto, used in the woollen manufacture  $1\frac{1}{4}$  d.  
in whitening new linen,  $1\frac{1}{4}$  d.

Soft soap, the lb.  $1\frac{3}{4}$  d.

Allowance for every lb. of ditto used in the woollen manufacture, 1 d. 1-12th.

in whitening new linen in the piece  $0\frac{3}{4}$  d.

for every lb. of ditto made and used in Great Britain, in the flax and cotton manufacture, before July 5, 1788,  $0\frac{3}{4}$  d.

A drawback upon exportation of the whole duty on soap.

By 17 Geo. 3. c. 52. none residing within the limits of the excise office in London, shall make soap unless they rent 10 l. per ann. and pay parish rates; nor in other parts of the kingdom, unless they pay to church and poor.

Places of making shall be entered, on pain of 50 l. and all utensils unentered are forfeited. 10 Ann. c. 19.

Summons left in the party's right or assumed name, at the place where the offence is discovered, good. 5 Geo. 3. c. 43.

Covers and locks to be provided, and makers of hard soap opening the copper, after being locked and sealed by the excise officer, to forfeit 100 l. *Ibid.* and 12 Geo. 3. c. 46.

By 17 Geo. 3. c. 52. the furnace door of the copper shall be fastened by the officer, and the maker shall pay for the locks, and refusing or obstructing the officer, to forfeit 50 l. and opening the furnace privately, 100 l. penalty.

Makers are to give notice of the opening of coppers twelve hours in the limits of the excise office in London, and twenty-four hours without; and the surveyor may examine the copper any time between five in the morning and eleven at night, and obstructing the officer, to forfeit 100 l. and for a private conveyance from the copper, to forfeit 200 l. *Ibid.*

Officer in the day-time (with a peace officer) may break the ground to search for private conveyances, and if none are found, to make good the damage, but makers may use pipes above ground. *Ibid.*

Coppers are to be cleansed every lunar month, on three days notice, and the officer to examine the same, and if any hole is found, not known before, the maker is liable to a penalty (500 l.) for concealing, unless by accident since the last survey, and notice given thereof; and neglecting to cleanse the copper, or to give notice, or obstructing the officer, to forfeit 50 l. *Ibid.*

Officer may enter and survey, and if obstructed 20 l. penalty. 12 Ann. c. 19.

Putting lees into the copper shall be deemed a beginning, and if the maker does not begin within six hours, the notice is void. 11 Geo. 1. c. 30.

Makers are to give proper notice of lighting a fire under the copper, and the officer is to attend; opening the copper before the same is duly unlocked, 20*l.* penalty. 5 Geo. 3. c. 43.

Maker to give due notice of his intention of lighting fires, whether for making soap, or cleansing his foul goods, on pain of 20*l.* *Ibid.*

Maker to provide proper frames for putting his soap in when taken out of the copper; and to give notice thereof before using the same; and the frames to be marked and numbered by the supervisor, before using, on penalty of 20*l.* *Ibid.*

An allowance shall be made for working stale soap, 10 *Ann. s.* 19. giving due notice, 11 Geo. 1. c. 30. and the officer falsely pretending to have had due notice, shall forfeit 10*s.* per lb. 11 Geo. 1. c. 30.

Hard soap, once put into the frames, not to be returned again into the copper, without being charged afresh with the duties, 5 Geo. 3. c. 43. and one pound in ten allowed for waste.

Officers are to charge for materials missing, and removing before survey made, 20*l.* penalty; unsurveyed goods to be kept separate, on pain of 5*l.* 10 *Ann. c.* 19. and concealment is 500*l.* penalty. 1 Geo. 1. *st.* 2. c. 36.

By 5 Geo. 3. c. 43. the officer is empowered, with a special warrant, to search suspected places for soap privately made or concealed, not having paid the duty, and the owners shall forfeit 100*l.*

Every barrel of soap shall contain 256 lb. every firkin 64 lb. and half firkin 32 lb. besides the tare; but hard cake soap, or ball soap, need not be put into casks; and all soap not so barrelled is forfeited, and 5*l.* 10 *Ann. c.* 19. c. 26. and 12 *Ann. stat.* 2. c. 9.

By 17 Geo. 3. c. 52. soap makers are to make entries weekly, and to pay the duty in a week after, or forfeit double the value of the soap made; but not obliged to go further than the next market town.

The drawback on soap used in the woollen manufacture, to be paid on affidavit, without stamp, and a fee of four pence only; making a false affidavit, is a forfeiture of treble the allowance, and for the second offence perjury. 10 *Ann. c.* 19.

Soap carried coastways, without a cocquet, is forfeited; imported in less package than 224 lb. forfeited, and the master to pay 50*l.* 23 Geo. 2. c. 21. but on proof that the same was put on board without the master's knowledge, the penalty may be deducted out of the mariners wages. 26 Geo. 2. c. 32.

Officers of excise may go on board and search for and seize soap, and any vessel, or cart, or carriage with suspected soap may be seized, and if not proved that the duties are paid, the same is forfeited, and 5*l.* per cwt. 23 Geo. 2. c. 21.

Concealing any soap unlawfully imported, or reloaded is a penalty of 50*l.* per cwt. *Ibid.*

Soap seized, if not claimed in twenty days, on public notice, may be condemned. Proof to lie on the claimer, the penalties may be mitigated to one fourth. *Ibid.*

And utensils are liable. 10 Ann. c. 19.

By 24 Geo. 3. c. 48. officers may, by day or by night, enter the house or boiling-house of any soap maker, and take an account of the soap made, and also of the materials for making thereof.

No soap-maker shall have any conveyance to or from any copper or pan, except one moveable pump; nor any cock or hole in the side or curb of his boiler, nor use any syphon; on penalty of 50*l.* but he may have steam holes. *Ibid.*

The cover and furnace door, shall be kept locked by the officer, except when at work: locks and keys to be provided by the surveyors, at the expence of the makers; any person clandestinely opening any copper, or damaging such fastening shall forfeit 100*l.* and soap-makers obstructing officers, shall forfeit 50*l.* *Ibid.*

Officers shall take account, as often as they think fit, of all materials for making soap in the maker's possession. Soap makers shall provide scales and assist the officer in weighing on penalty of 20*l.* *Ibid.*

Duties shall be charged for a decrease of the following materials, oil; rendered tallow; kitchen stuff and tallow; and tallow and rosin; after the rate of duty for twenty hundred weight of hard soap, for every fourteen hundred weight of oil, tallow and rosin missing; and for every thirteen hundred weight of rendered tallow, and kitchen stuff and tallow missing. *Ibid.*

Soap makers, if within the limits of the London office, shall give twelve hours notice to the officer, before they charge their copper, and elsewhere twenty-four hours notice; on penalty of 100*l.* *Ibid.*

Soap maker shall weigh, in presence of the officer, all the materials with which he intends to charge his copper. *Ibid.*

No soap maker shall sell any hard soap but in the shape of cakes or bars; and all scraps and parings shall be returned into the copper, in presence of the officer; on penalty of 100*l.* *Ibid.*

By 27 Geo. 3. c. 31. makers of soap shall weigh the materials for making the same before the officer, on penalty of 50*l.*

### *Spirituous Liquors.*

*Spirits foreign*, by 27 Geo. 3. c. 13. single brandy, aqua vitæ, or single spirits of all sorts (not of the *British* colonies) pay per gallon *four shillings and three-pence.*

Brandy, spirits, or aqua vitæ, above proof, not of the *British* colonies, the gallon *eight shillings and one penny.*

Rum, spirits, or aqua vitæ, of the produce of the *British* colonies, the gallon *three shillings and seven-pence.*

Rum, spirits or aqua vitæ, above proof, of the produce of the *British* colonies, the gallon *five shillings and eight-pence.*

*Spirits British*, a bounty of 3*l.* 12*s.* is allowed on the exportation of every ton of *British* spirits.



Officers may take samples of foreign spirits on ship board, paying for the same. 32 Geo. 2. c. 29.

Landing *French* brandy without duty paid, is a forfeiture thereof and double the value, and the officer permitting the same forfeits 500*l.* and is incapacitated. 1 Ann. stat. 2. c. 14.

Excise officers may go on board, and search for, and seize forfeitable spirits. 11 Geo. 1. c. 39.

And he may obtain a warrant to search suspected places, and if opposed, the penalty is, 100*l.* *Ibid.*

Spirits forfeited may be seized by officers of customs or excise, or persons deputed by the treasury, or by special commission under the great, or privy seal only; and obstructing the officer, rescuing the liquors, or staying the cask, is a penalty of 40*l.* 8 Geo. 1. c. 18.

Brandy, and other spirits imported in ships under 100 tons shall be forfeited, 5 Geo. 3. c. 43. except *British* plantation rum, which may be imported in vessels of 70 tons. 6 Geo. 3. c. 46.

Spirits of any kind (except two gallons to each seaman for the ship's use) entered for exportation from *Ireland* to any port not in that kingdom, in vessels under 100 tons, the ship and cargo shall be forfeited. 5 Geo. 3. c. 43.

Ships with brandy, under fifty tons, hovering within two leagues of the shore, the king's ships, or officers of the customs may compel the master to come into port. 6 Geo. 1. c. 21.

Master suffering brandy or uncustomed goods to be put out of his ship, or to be taken in from the shore, besides former penalties, shall suffer six months imprisonment. *Ibid.*

And by 9 Geo. 2. c. 35. vessels arriving from foreign parts having foreign spirits in casks under sixty gallons (except two gallons for each seaman) hovering within two leagues of the shore, shall forfeit the same, and by 3 Geo. 3. c. 22. if under fifty tons, the vessel.

Brandy imported in vessels of less than sixty gallons, forfeited. 4 Will. 3. c. 5. and so is geneva and rum by 5 Geo. 3. c. 43. except two gallons for the use of each seaman, or from *British* colonies, or for presents.

Rum and spirits of the *British* plantations, on entry made, (within thirty days after report 31 Geo. 2. c. 36.) may be landed, and warehoused before payment of the duties, 15 Geo. 2. c. 25. giving bond to pay within twelve months, 6 Geo. 3. c. 47.

If landed before entry, they are forfeited; the casks are to be marked, and taken an account of; and may be delivered out on payment of the excise duties, and certificate thereof. 15 Geo. 2. c. 25.

But not less than twenty gallons are to be delivered out, and the proprietor or importer, may fix one lock and key on the warehouse door, and the officer another, and the rum may be reviewed at any time, in the officer's presence. *Ibid.*

But if the proprietor by any device opens the warehouse without the officer, he forfeits 500*l.* 17 Geo. 3. c. 52.

And if rum or spirits remain in the warehouse above twelve months, they may be sold, rendering the surplus to the importer. *Ibid.*

Malt distiller compounding, or rectifying spirits into gin, or other compound spirituous liquors, forfeits 100*l.* 33 *Geo.* 2. c. 9.

Spirits drawn from any mixture of spirits shall be deemed low wines. 10 & 11 *Will.* 3. c. 4.

None shall make entry as a distiller, unless he occupies a tenement of 10*l.* *per ann.* and pays parish rates. 19 *Geo.* 3. c. 50.

Entry shall be made of houses, stills and vessels; on pain of 20*l.* and the occupier 50*l.* 8 & 9 *Will.* 3. c. 19.

And by 24 *Geo.* 2. c. 40. distillers shall make entry of all vessels for distillation, on penalty of 50*l.* for each still, and the same shall be marked by the officer, which if defaced is a penalty of 20*l.*

And by 19 *Geo.* 3. c. 50. they shall paint over the door, *Distiller, Rectifier, or Compounder of Spirituous Liquors*, on penalty of 100*l.* and putting such words up on unentered places, is a penalty of 200*l.*

Buying *British* made spirits (except at public sales of the commissioners of excise) of persons not having the words over their door, penalty 100*l.* but buyer or seller informing discharged of the penalty. *Ibid.*

Private pipe or other conveyance of distilled liquors, may be destroyed, and distiller shall forfeit for every such pipe 100*l.* and excise officers may search for such pipes, private stills, &c. and break up the ground, or walls; but there may be pipes to the backs in sight, 10 & 11 *Will.* 3. c. 4.

Proprietor of private still discovered, shall forfeit 200*l.* 10 & 11 *Will.* 3. c. 21.

And by 19 *Geo.* 3. c. 50. officers discovering private stills or materials, may seize the same, and if not owned in ten days, forfeited, and the proprietor or person, in whose custody, to forfeit 200*l.* and for obstructing officer, to forfeit 100*l.*

But if on breaking the door, or house, no such still or vessels be found, satisfaction shall be made, to be assessed by two justices, or the party may have his action, to be paid by the excise duties, and obstructing the officer is a penalty of 200*l.* 10 & 11 *Will.* 3. c. 4.

By 19 *Geo.* 3. c. 50. making wash for distillation, and possessed of a still of two gallons, to be deemed a common distiller for sale, and subject to duty, and the survey of the officers of excise.

But by 2 *Geo.* 3. c. 5. no one shall have any still or stills, unless the same either singly or together contain 150 gallons, on pain of 100*l.* and the small stills shall be all placed in one room, on like pain.

And by 14 *Geo.* 3. c. 73. the wash still shall contain 400 gallons, and low wine still 100 gallons, on penalty of 100*l.* to make openings in the breast of the still for the use of the gauger, not more than five inches, nor less than one inch and an half diameter. to draw samples with a phial, and officers may take samples, paying 1*s.* 6*d.* per gallon for wash, and 4*d.* per gallon for spent wash;

wash; and using such still before the holes are made is a penalty of 50*l*.

Distillers, rectifiers, and compounders shall provide fastenings to the heads of stills, and the officers locks and keys, and using the same without is a penalty of 50*l*. 12 *Geo.* 3. *c.* 46. and 14 *Geo.* 3. *c.* 73.

And the holes or openings shall in like manner be locked; and locks shall be placed on the discharge cocks, and furnace door; and opening or damaging any such locks is 200*l*. penalty. 14 *Geo.* 3. *c.* 73.

Distillers shall give, in town twenty-four, and elsewhere forty-eight hours notice, before they receive any fermented wash, under penalty of 50*l*. 24 *Geo.* 2. *c.* 40.

Corn distillers shall give four hours notice in writing of opening stills, and twelve hours, if between twelve at night and six in the morning, 12 *Geo.* 3. *c.* 46. and he shall give the like notice when he wants the furnace door unlocked. 14 *Geo.* 3. *c.* 73.

Officers shall attend to open furnace doors upon twelve or twenty-four hours notice given by distillers, and they are to give four hours notice in town, and eight in the country, when they intend to charge their stills, the number and mark of wash batches shall be signified in the notice to be given, or such notice shall be void; and charging wash stills not mentioned in the notice is a penalty of 100*l*. *Ibid*.

Distillers using more than one quarter of wheat, to two of other grain, forfeit 50*l*. 33 *Geo.* 2. *c.* 9.

The officer shall attend and survey according to notice, 12 *Geo.* 3. *c.* 46. but the officer, on several notices at the same hour, may attend then, or within an hour after, 14 *Geo.* 3. *c.* 73.

The cocks shall be turned to satisfy the officer that the stills are empty, after which they may be charged, and fastened; and the officer shall attend during repairs, and lock the stills, cocks, and pumps at night; and using unentered pipes or utensils, penalty, 100*l*. 12 *Geo.* 3. *c.* 46.

And opening the stills, cocks or pumps, after fastened, or damaging the same, is a penalty of 200*l*. *Ibid*.

If the officer finds in any still, other than the known wash still, wash mixed with low wines, the distiller shall pay 100*l*. 14 *Geo.* 3. *c.* 73. and obstructing the officer, penalty 100*l*.

By 6 *Geo.* 1. *c.* 21. the excise officer may enter by day or by night to take an account, and obstructing him 50*l*. penalty. Concealing spirits from the gauger, penalty 5*s.* per gallon. 3 *Will.* 3. *c.* 15.

Officers may charge for materials missing. 4 *Ann.* 2. 12.

And distillers shall make entries weekly, and pay duties in a week after, or forfeit double. 19 *Geo.* 3. *c.* 50.

Spirits shall not be carried out of the still-house, but in the day-time, on pain of 10*l*. unless notice is given to the excise officer. 7 & 8 *Will.* 3. *c.* 30.

Importers may take samples of spirits on ship board. 32 *Geo.* 2. *c.* 29.

*Retailers.* By 9 *Geo.* 2. *c.* 23. Retailers of less than two gallons shall enter every house and place used, and the liquors therein, on



forfeiture thereof; and 20*l.* for every place, and 40*s.* for every gallon unentered.

Retailer shall give notice of bringing in liquors, on forfeiture thereof, and 20*l.* and no foreign spirits, though under one gallon, shall be received by retailers, without a permit, on forfeiture thereof. *Ibid.* and 8 Geo. 1. c. 18.

*British* shall be kept separate from foreign spirits, on pain of 10*s.* per gallon. 8 Geo. 1. c. 18.

Officers may take samples in the shop or warehouse. 32 Geo. 2. c. 29.

Retailer increasing the liquors by adding water, or the like, forfeits the same and 40*s.* a gallon. 9 Geo. 2. c. 23.

And if the officer shall find an increase of foreign spirits since his last survey, the same shall be forfeited, unless proved to have been increased by mixing *British* spirits therewith in the officer's presence, or brought in by permit. 8 Geo. 1. c. 18.

Officers may enter at all times, and search for suspected concealments, and if opposed, 50*l.* penalty. 9 Geo. 2. c. 23.

No liquors shall be sold but in entered places, on pain of 40*s.* a gallon. 6 Geo. 1. c. 21. Nor shall arrack on the like pain, and forfeiture thereof. 11 Geo. 1. c. 30.

Persons having above sixty-three gallons shall be deemed sellers and dealers. 6 Geo. 1. c. 21.

Licence for selling brandy, and other spirituous liquors, retail pays, by 16 Geo. 2. c. 8. and 24 Geo. 2. c. 40. 40*s.* with three 5*per cents.* thereon. By 19 Geo. 3. c. 25. 21 Geo. 3. c. 17. and 22 Geo. 3. c. 26. making in the whole two pounds and six shillings.

And by 27 Geo. 3. c. 30. the following additional duties shall be paid on such licences, *viz.* 2*l.* 8*s.* if the rent of the retailer's house be under 15*l.*—2*l.* 16*s.* if 15*l.* and under 20*l.*—3*l.* 4*s.* if the rent be 20*l.* and under 25*l.*—3*l.* 12*s.* if 25*l.* and under 30*l.*—4*l.* if 30*l.* and under 40*l.*—4*l.* 8*s.* if 40*l.* and under 50*l.*—4*l.* 16*s.* if 50*l.* or upwards.

Persons taking out such licence shall pay down one eighth part of the money directed immediately, and one other eighth part every six weeks, until the whole shall be paid. *Ibid.*

The licences are to be taken out, and the monies paid at the nearest excise office; they are to be renewed every year, at least ten days before the expiration of the old one; and persons retailing spirituous liquors without licence, or not paying the duty for the same, shall forfeit 100*l.* But one licence is sufficient for a partnership in one house. *Ibid.*

The licence shall not authorise the sale of liquors in any other house than the one for which it was granted. *Ibid.*

The duties shall be paid into the exchequer, and carried to the consolidated fund. *Ibid.*

Persons selling liquors mixed or unmixed at home, or sending out less than two gallons, shall be a retailer. 17 Geo. 2. c. 17.

Licences shall be granted only to those who keep taverns, victualling houses, inns, coffee houses, or alehouses. *Ibid.*

And

And in town no licence shall be granted but to those who occupy a tenement of 10*l.* *per ann.* and pay parish rates, and if not rated 12*l.* *per ann.* and out of town to those only who pay to church and poor. 24 *Geo.* 2. c. 40. and 26 *Geo.* 2. c. 13.

And they shall be first licensed to sell ale. 16 *Geo.* 2. c. 8. And the justices have like power over retailers of spirits, as over alehouse-keepers. 12 & 13 *Will.* 3. c. 11.

They are to be licensed only where they dwell. 17 *Geo.* 2. c. 17. Selling without a licence, 10*l.* penalty, 16 *Geo.* 2. c. 8. which is not to be mitigated less than 5*l.* 24 *Geo.* 2. c. 40. or instead of the penalty they may be sent to hard labour for two months, 17 *Geo.* 2. c. 17. And all spirits in the possession of unlicensed persons shall be destroyed. 24 *Geo.* 2. c. 40.

And by 13 *Geo.* 3. c. 56. retailing without a licence is a penalty of 50*l.*

Hawking liquors about the streets is a penalty of 10*l.* or commitment for two months. 9 *Geo.* 2. c. 23.

The occupier of the house where spirits are sold clandestinely shall be liable. 11 *Geo.* 2. c. 26.

Persons giving away spirits to servants fetching goods from their shops shall be deemed retailers; and paying wages, or any part thereof, in spirits, is moreover a penalty of 20*l.* But apothecaries selling spirits as medicines are excepted. 9 *Geo.* 2. c. 23.

No licence shall be granted to sell in *gaols* or workhouses; nor shall any one sell or use spirits there on pain of 100*l.* 24 *Geo.* 2. c. 40.

Persons bringing, or endeavouring to bring spirits in may be carried before a magistrate, and fined not more than 20*l.* nor less than 10*l.* And gaolers or masters are to affix an abstract of this act in some part of the prison or workhouse, on pain of 40*s.* *Ibid.*

Debts for spirituous liquors under 20*s.* not to be recovered. *Ibid.*

Distillers selling spirituous liquors to any unlicensed retailer, shall forfeit 10*l.* and treble the value. *Ibid.*

Riotously rescuing offenders, or assaulting informers, is *felony*, and transportation for seven years. *Ibid.*

There must be a permit for removal after sale; and removing above one gallon without, is a forfeiture thereof; not removing according to the permit, nor returning the same, is a penalty of treble value: and if the stock is not decreased, the officer may seize as much as mentioned in the permit: but none shall receive a permit without a direction in writing from the seller, on penalty of 50*l.* or three months imprisonment. 6 *Geo.* 1. c. 21. and 11 *Geo.* 1. c. 30.

Persons selling without a permit, or pedlars with one, may be seized and committed. 9 *Geo.* 2. c. 35.

Officers neglecting to make seizures forfeit 50*l.* 6 *Geo.* 2. c. 17. and constable neglecting his duty forfeits 20*l.* 11 *Geo.* 2. c. 26.

Carrying spirits coastwise without a certificate of the duties paid, is a forfeiture thereof. 3 *Geo.* 1. c. 4.

Home made spirits may be exported duty free; and houses and vessels for making spirits for exportation, shall be entered, and notice given before brewing, on pain of 100*l.* 2 *Geo.* 3. c. 5.

But no entry is allowed unless the wash still contains 1600 gallons, and the spirit still 800; and the distillers are not to distil for exportation, though entry made, unless the spirits for home consumption have been distilled at least forty-eight hours before. *Ibid.*

When the wash and low wines for spirits for exportation shall be distilled, and the spirits locked up; the distiller may withdraw his entry for exportation, and enter for home consumption, and within six days after begin his operations accordingly; and if he acts contrary to these directions, he forfeits 200*l.* *Ibid.*

Wash for spirits for exportation is to be pumped into the still in the presence of an officer, and the low wines immediately run off into an entered vessel, and there kept till gauged, and a proper cask entered and gauged, sufficient to contain the spirits extracted, is to be provided; and when the whole is collected, the spirits are to be made proof in the presence of the officer, and gauged by him; and afterwards put in casks, and secured in his presence in some entered and approved warehouse under three locks and keys, separate from spirits for home consumption, until delivered out for rectification or exportation; and the surveyors are to view and sign their approbation of the said warehouses. Distiller acting contrary to these directions, or obstructing the officer in the gauging, taking the samples, or trying the proof; or if he shall open any of the locks in the absence of the officer, or make any way into such warehouse, or alter the condition thereof, without giving notice to the surveyor, and his consent be first had, or shall remove any of the spirits or wash, shall forfeit 500*l.* *Ibid.*

Spirits made for exportation may be sent by the maker to the distiller, bond being first given for the due exportation thereof, and leave also had from the commissioners, and notice given to the officer, and so as the same be removed with a certificate, and distiller is thereafter liable to the same penalties for breach of directions, as the maker would have been. *Ibid.*

Raw, unrectified spirits shall not be exported. Distiller to give due notice to the proper officer when any spirits are intended to be taken out of any warehouse, in order to be rectified or shipped on board for exportation, and the officer is to attend and take an account thereof; and distiller not keeping to his time is to give fresh notice; and failing in any of the particulars here required, forfeits 100*l.* *Ibid.*

Raw spirits taken out, in pursuance of notice, are to be forthwith put into the still in the presence of the officer, and rectified, and run off into the spirit cask, and then made up proof and gauged, and are afterwards to be put into casks and shipped for exportation, or secured in proper warehouses. *Ibid.*

Where the spirits cannot be conveyed from the spirit cask the same day, and secured in the warehouse, the officer is, to gauge the same, and take samples thereof, and secure the lid of the cask; and if any fraud shall be thereupon committed, the distiller shall pay double duties. *Ibid.*

Any



Any of the said spirits originally intended for exportation, may, upon application to the commissioners, and payment of the duties, be taken out of the warehouses, and used for home consumption. *Ibid.*

A gallon of brandy, or proof spirit, to be reckoned at seven pounds thirteen ounces the gallon. *Ibid.*

Not less than one ton thereof to be taken out for home consumption. 6 Geo. 3. c. 46.

The same quantity of rectified spirits is to be produced, as was delivered out of raw spirits, allowing for the feints. Allowances to be made also for waste, and the difference between gauging and weighing spirits. Feints to be run off into the feint cask, and gauged, and kept in stock, and secured; and samples taken by the officer; and to be distilled once a month at least, and made into proof spirits: and then locked up or exported. Distiller to pay double duty for any fraudulent decrease of wash or spirits for exportation, to be computed according to the quantity such wash would make of low wines and spirits for home consumption, and to pay double duty in like manner for any fraudulent decrease in his stock of spirits made for exportation. The officer to secure the still and other vessels from being fraudulently made use of in his absence, and the spirits from being secreted. *Ibid.*

On delivery of spirits to be sent coast ways, with certificate for exportation, the distiller is to give bond, and security for the due landing thereof in the port where entered for. Bonds not to be discharged till a certificate, conditioned to be returned in six months, be produced from the proper officer of the landing the same accordingly, and of oath being made by the master, that the same were fairly landed there, without any fraud in the quantity or quality of the spirits, and proof that the same have since been exported from thence to foreign parts; and the spirits, on their landing, are to be secured in a proper warehouse till exported. Masters, and others, concerned in the fraudulent landing or embezzling spirits sent coast ways, are liable to penalties. *Ibid.*

A bounty of 3*l.* 12*s.* per tun is allowed on all British spirits made from corn, exported as merchandize to foreign parts; oath being made of a due conformity to the regulations of this act, and a certificate produced from the proper officer of the quantity shipped. *Ibid.* and 27 Geo. 3. c. 13.

Spirits shipped for store to be openly stowed, while the vessel is in port, that the officers may examine the same, on forfeiture of double duty, to be paid by the master. 6 Geo. 3. c. 46.

On entry of spirits made for exportation for Ireland, America, Africa, or parts in Europe, like bonds are to be given, certificates produced, and proofs made, as are required in similar cases on exportation of spirits, except as to the penalty, which is to be double the value, and double the duties, and until bond is entered into by the exporter, the distiller is liable to the double duties. Bonds for spirits entered for Asia to be of like tenor and condition, with those required for Africa, except as to the penalty; and until bond is entered into, the distiller is liable to the duties. Obstructing an officer in the execution of his duty is a penalty of 100*l.* *Ibid.*

No drawback shall be allowed on spirits exported in casks under 100 gallons, or vessels under 100 tons, 33 *Geo. 2. c. 9.* except to *Africa and Newfoundland*, in vessels not less than 70 tons. 6 *Geo. 3. c. 46.*

5 *l.* reward to informers against unlicensed retailers, where no penalty is levied. 17 *Geo. 2. c. 17.*

Actions must be brought within three months, and a week's notice given. 12 & 13 *Will. 3. c. 11.*

The commissioners shall sell spirits publicly to the best bidder after condemnation. 12 *Geo. 1. c. 28.*

Utenils shall be liable, though claimed. 7 & 8 *Will. 3. c. 30.*

By 21 *Geo. 3. c. 55.* if any officer shall find any increase in the stock of any dealer in spirituous liquors, since his last survey, such increase shall be forfeited, and also 20 *l.* but *British* spirits, proved to have been watered, are not forfeitable.

Distillers of spirits for exportation, shall produce to the officer a quantity of spirits in proportion to the wash found in their custody, or they shall be charged with all the wash missing. *Ibid.*

Six gallons per ton shall be allowed for waste in rectifying or compounding spirits for exportation. All decrease in the quantity above that proportion, shall be charged with double duty. *Ibid.*

No spirits made for exportation shall be delivered out of the warehouses for home consumption. Every person who shall distil low wines or spirits, shall be deemed a common distiller, and shall enter his stills, and pay duty as such; and all persons having any wash fit for distilling of low wines, and spirits, or any still in their custody, shall be deemed common distillers. *Ibid.*

No person shall use any vessel or place for making wash for low wines, without giving notice at the next office, on penalty of 50 *l.* *Ibid.*

If any distiller, or dealer in spirituous liquors, shall buy or receive any *British* spirits from any person not having the words, *Distiller, Rectifier, or Compounder of Spirituous Liquors*, painted according to 19 *Geo. 5. c. 30.* (except at public sales of condemned spirits) he shall forfeit 500 *l.* but not to be prosecuted also under other acts. *Ibid.*

If the seller of any such spirituous liquors shall, before any information has been lodged against him, inform against the buyer, he shall himself be indemnified. *Ibid.*

By 23 *Geo. 3. c. 70.* no dealer in foreign spirituous liquors, within the limits of the excise office, (not being a licensed retailer) shall make entry of any warehouse for keeping foreign spirits, unless he be assessed for a tenement of 12 *l.* per ann. nor in any other part of the kingdom, unless he pay to church and poor.

No entry shall be made of two rooms in the same house, for keeping of foreign spirits; and no dealer shall have more than one permit in one day to one person, and shall only remove one cask thereby. *Ibid.*

But several permits may be taken out, and casks sent the same day, so as each cask is sent under a different permit. This is not to prevent dealers sending with one permit any number of casks of 60 gallons each. *Ibid.*

Foreign spirits in casks of less than 60 gallons, found removing at any time contrary to this act, shall be forfeited, with the cattle and carriages. *Ibid.*

The particulars are to be specified in request notes for permits. *Ibid.*

If any officer shall know of, or suspect any private still, within the limits of the head office, and make oath thereof before a justice, or the commissioners, or in any other part of *Great Britain*, and make oath thereof before a justice of the county, the said commissioners or justices may grant a special warrant to break open such suspected house, and to seize such stills and spirits; and if not claimed by the owner within ten days, the same shall be forfeited, and the proprietor shall pay 200*l.* for every such place and still found therein; and obstructing officers herein is a penalty of 200*l.* *Ibid.*

Any person who shall be found aiding and assisting in any private distillation, shall forfeit 30*l.* or be imprisoned six months for the first offence, and for every other offence, double that penalty and imprisonment. *Ibid.*

All horses and carriages employed in removing *British* spirits, without a proper permit, may be seized. *Ibid.*

Distillers shall demolish their trunks or close vessels for receiving wash, on penalty of 100*l.* and shall take away all pipes fastened to the end of their still worms, on like penalty. *Ibid.*

Discharge cocks shall be fixed in the body of the stills to which they belong, on penalty of 100*l.* and the keys of such cocks shall be made with an hole at the top thereof, capable of receiving a leaver to turn the same, and the mouths of such cocks shall be left free, on penalty of 100*l.* *Ibid.*

When any still shall cease to be worked, the head thereof shall be taken off, on forfeiture of 100*l.* Officers shall not open the furnace doors of stills belonging to rectifiers or compounders, but when fully charged, nor until he hath examined the contents, and seen the heads actually put down. *Ibid.*

Distillers shall provide ladders to enable officers to get to the top of their stills, and shall assist them in setting up the ladder, on penalty of 200*l.* *Ibid.*

Officers may take samples of wash from distillers, on paying 1*s.* 6*d.* a gallon for the same; and, if refused, the penalty is 100*l.* *Ibid.*

No still shall have more than one fixed charging pipe, and one discharge cock, on penalty of 200*l.* *Ibid.*

Any corn distiller, who shall use any melasses, honey, or compositions in preparing wash for distillation, shall forfeit 100*l.* and every servant, or other person assisting therein, shall forfeit 20*l.* or be imprisoned for three months. *Ibid.*

No entry of any still-house or utensils, shall be withdrawn, whilst wash, or other materials for distillation, are remaining therein. *Ibid.*

This act is not to lessen the powers of officers of excise.



By 26 Geo. 3. c. 73. and 27 Geo. 3. c. 13. for two years from July 5, 1786, the present duties on low wines and spirits for home consumption shall cease, and in lieu thereof the following duties be paid, viz.

For every gallon of wort from grain, 6*d.*

For every gallon of cyder, or perry, or of wash, from other *British* materials than grain, 5*d.*

For every gallon of wort from melasses or sugar, 8½*d.*

For every gallon from foreign wine, 1*s.*

Entry shall be made of still-houses previous to working, and they shall not be used otherwise than specified in the entry, on pain of 100*l.* in either case, and forfeiture of the spirits. 26 Geo. 3. c. 73.

Entries shall not be withdrawn while duties are depending. Persons hindering officers from entering still-houses, forfeit 200*l.* and the officers may break them open. *Ibid.*

Wash backs shall be so constructed, that the officer may conveniently take the gauge, on penalty of 200*l.* *Ibid.*

Notice shall be given before wash backs are fresh limed, on penalty of 50*l.* *Ibid.*

Persons having conveyances to or from stills, except one charging pipe, and one discharge cock, shall forfeit 200*l.* *Ibid.*

The 12 Geo. 3. c. 46. and 14 Geo. 3. c. 73. relative to the fastening to stills, is extended to all distilleries. *Ibid.*

Persons using stills, without proper discharge cocks, shall forfeit 50*l.* *Ibid.*

Locks shall be altered or repaired on requisition of the officer, on penalty of 50*l.* *Ibid.*

No key shall be rivetted so as to prevent examination, on penalty of 50*l.* Persons having pipes of communication with worms, shall forfeit 100*l.* No cap shall be kept so as to prevent cocks being examined, on penalty of 50*l.* *Ibid.*

No persons shall be deemed rectifiers, who have stills of a less capacity than 120 gallons. *Ibid.*

No person shall remove wort from backs to stills before being gauged, on penalty of 200*l.* *Ibid.*

No distiller shall keep any pipe, but the charging pipe leading from entered backs, and emptying itself in a shute not distant more than six feet from the still, with a conveyance pipe into the wash still in a straight line, and open to view, on penalty of 200*l.* *Ibid.*

Officers may take wort, on paying 1*s.* 6*d.* per gallon for the same; and they shall keep account of the still gauges. *Ibid.*

Persons fraudulently removing or concealing wort, shall forfeit it, and 10*s.* per gallon on the quantity. *Ibid.*

Distillers not charging wash stills in the proportion of three parts in four of their contents, and before drawing off four in five, or not working them off within twenty-four hours, after the officer has taken an account of the charge of such stills, shall forfeit 200*l.* *Ibid.*

Keeping low wines more than twelve hours, after they have been run off from the wash still, is a penalty of 10*l.* per hour. *Ibid.*

Rectifiers who do not charge their stills in the proportion of seven parts in ten, or work them off within eighteen hours, forfeit 200*l*.

No allowance shall be made for any fluid mixed with wash. Officers shall keep accounts of wash, and give distillers the following credits, viz.

For every 100 gallons of wort made from grain, twenty gallons of spirits.

For every 100 gallons made from other *British* materials, fifteen gallons.

For every 100 gallons made from melasses or sugar, twenty-two gallons.

For every 100 gallons made from other foreign materials, twenty gallons.

Encrease of stock above a due quantity shall be forfeited, and also 50*l*. Officers shall take stock of distillers and rectifiers every three months, or when ordered so to do; and if any unfair encrease be found, it is to be forfeited and 50*l*. *Ibid*.

Rectifiers shall have an allowance of thirty-five gallons in the 100 for increase by water. Officers shall keep an account of the quantity of spirits made, and for which permits have been granted; and if permits are required for a larger quantity than ought to be in stock, it may be seized. *Ibid*.

Distillers selling spirits for home consumption, not one to ten over hydrometer proof; rectifiers one in eight under hydrometer proof, or either of them foreign spirits one in six under such proof, shall forfeit such spirits. *Ibid*.

But rectifiers keeping their stock of spirits separate from other liquors, may send out a quantity of a greater strength. *Ibid*.

Rectifiers not marking the strength of mixed spirits on casks; or marking them untruly, shall forfeit the same, and 50*l*. *Ibid*.

Rectified spirits found in the custody of any dealer, not a rectifier, shall be forfeited, if stronger than one in eight under hydrometer proof. *Ibid*.

Spirituous liquors kept in separate buildings, may be surveyed as separate stocks. *Ibid*.

Persons hindering officers from taking samples, paying for the same, shall forfeit 100*l*. *Ibid*.

Spirits produced from stills-at work when stocks are taken, shall be afterwards added. *Ibid*.

Using casks not entered or gauged, is a penalty of 50*l*. and persons not filling up casks on notice of survey, or not keeping different sorts of spirits separate, shall forfeit 100*l*. *Ibid*.

Permits shall specify the particulars; and notice of the receipt of spirits brought from *Scotland* shall be given; and if not reduced to the proper strength, shall be forfeited. *Ibid*.

Persons must send request notes for permits, and permits shall correspond with request notes, and be delivered to the buyer, on penalty of forfeiture of the spirits, and double the price; but if it be proved, that a permit was obtained for removal of spirits, they shall be deemed to have been delivered with a permit; and buyers prosecuting

prosecuting for forfeiture of spirits delivered without permits, shall exhibit complaints in fourteen days. *Ibid.*

*British* spirits twice distilled from low wines, with a flavour, shall be deemed *British* brandy; without a flavour, *rectified British* spirits; once distilled, *raw* spirits; distilled with berries or seeds, *British* compounds; and all spirits more than one to two over hydrometer proof, shall be deemed *spirits of wine*. *Ibid.*

Proof of spirits removed, being such as described in the permit, shall lie upon the owners; and persons fraudulently making or possessing spirits, shall forfeit their licences. *Ibid.*

Vessels for containing raw spirits, shall contain 100 gallons at the least, and spirits shall be received only in the day time; and receiving spirits in improper casks, or at improper hours, is a forfeiture thereof, and of 50*l.* *Ibid.*

By the 27 Geo. 3. c. 13. the manufacturer of *Maidstone Geneva*, shall pay 18*s.* for every seventy-two gallons of wash made from not more than 112*lb.* of corn.

Wash, produced by the said manufacturer, from which twenty-four gallons shall be taken and distilled by the officer of excise, according to 26 Geo. 3. and such twenty-four gallons, so distilled shall produce more than two gallons and three fourths of a gallon of spirits, at the strength of one in seven under hydrometer proof, the gallon 1*s.*

*British* spirits, of a strength not more than one to ten over hydrometer proof, manufactured in *Scotland*, and brought into any other part of the united kingdom, the gallon 2*s.*

And for all such *British* spirits more than one to ten over proof, and not more than 3*per cent.* over and above one to ten over hydrometer proof, the gallon 2*s.*

And also a further duty proportioned to the strength of such spirits, exceeding one to ten over hydrometer proof. *Ibid.*

These duties expire July 5, 1788.

For every 112*lb.* of corn, a credit shall be allowed of eight gallons of spirits of one in seven under hydrometer proof. If spirits be stronger than one to seven under hydrometer proof, they are forfeited. Undue excess of stock shall be forfeited. Notice of making wort of the said manufactory shall be given, on penalty of 200*l.* and a still shall be provided at the said manufactory, to enable the officer to ascertain the strength of the wash. 26 Geo. 3. c. 73.

Occupiers of houses permitting stills to be set up without entry, and licence, are subject to the like penalties as unlicensed distillers. *Ibid.*

Retailers of spirits shall forfeit 200*l.* if they have any share of any distillery. *Ibid.*

Vinegar makers shall not carry on, in the same premises, a distillery; and all entries of vinegar makers shall be void, unless there be expressed therein the materials from which the vinegar is made. *Ibid.*

No mixed spirits shall be sent out in a greater quantity than four gallons, on penalty of 50*l.* *Ibid.*

If more than sixty gallons of foreign spirits be brought to *London* by one permit, except in commerce, the same shall be forfeited. *Ibid.*

Ships



Ships bringing spirits in casks of less than 100 gallons (except rum or arrack) shall be forfeited, and the liquor. *Ibid.*

Spirits imported stronger than one to nine over hydrometer proof (except from *British* plantations) shall be forfeited. *Ibid.*

Stills shall be presumed to have been charged in the proportion of three parts in four of their contents; and to have been worked from 15th *November* to 15th *May*; five times a week; and from 15th *May* to 15th *November* four times a week. *Ibid.*

No entry shall be withdrawn after a still shall have begun working, in less than three months; but after that time entries may be withdrawn, on giving four days notice: and commissioners of excise may grant relief where the presumed charges of duty exceed the actual quantity of wash. *Ibid.*

No stills that have discontinued working shall recommence without giving notice, on penalty of 200*l.* and persons obstructing officers in their duty, incur a like penalty. *Ibid.*

Officers, on notice, may enter warehouses, gauge rums, take samples, and persons obstructing them forfeit 200*l.* Warrants may be granted to officers, forcibly to enter warehouses, visited by proprietors without their knowledge, and persons obstructing them forfeit 200*l.* If an unfair increase or decrease be found in the stock of rum, in any warehouse, the proprietor shall forfeit 500*l.* *Ibid.* c. 77.

By 27 *Geo.* 3. c. 31. spirits shall be deemed of the strength denoted by *Clarke's* hydrometers.

Rum of the *British* plantations in *America*, warehoused on *May* 10, 1787, may be delivered on payment of the duty imposed thereon this present session. *Ibid.*

## Starch.

By 27 *Geo.* 3. c. 13. starch imported pays 5*l.* 5*s.* 8*d.* per cwt. and by the same act; home made starch pays 3½*d.* per lb.

No starch makers shall enter at the excise office in *London*, unless they occupy a tenement of at least 10*l.* per ann. and pay parish rates; nor in other parts of the kingdom unless they pay to the church and poor. 19 *Geo.* 3. c. 40.

Places of making, with the utensils, shall be entered, on penalty of 50*l.* 10 *Ann.* c. 26. and *Ibid.*

Summons left at the place where the offence is, in the maker's assumed name, shall be good. 5 *Geo.* 3. c. 43.

Officers may enter and survey, 10 *Ann.* c. 26. and obstructing them is a penalty of 50*l.* 19 *Geo.* 3. c. 40.

Starch makers shall, in *London*; give twelve hours notice, elsewhere twenty-four hours, to excise officers before they begin to empty their vats, on forfeiture of 100*l.* *Ibid.*

After the vats are emptied the waters shall remain in the frames, undisturbed, for forty-eight hours. Starch maker mixing the starch waters

waters of different makings, while his starch is under water, shall forfeit 100*l.* except it is done in the presence of an officer. *Ibid.*

Starch maker shall give the officer a notice in writing, specifying the hour when each vat was emptied, on forfeiture of 100*l.* And starch makers shall give the usual notice before they take off the slimes and wash from the four waters, on like penalty. *Ibid.*

All starch makers shall use regular square, or oblong boxes only, for draining their green starch, on forfeiture of 10*l.* and shall give the usual notice to officers when they box green starch, on forfeiture of 20*l.* 4 *Geo.* 2. c. 14. and *Ibid.*

Every box of green starch containing 4560 solid inches, shall be charged at 13½ lb. weight. 1 *Geo.* 1. stat. 1. c. 2.

The duty on starch shall be paid according to the gauge taken in the four waters. 19 *Geo.* 3. c. 40.

When starch makers break any pieces of starch from their boxes, they shall deliver a particular account thereof to the officer, on forfeiture of 200*l.* When starch is put into the stove for drying, the pieces shall be so placed, that the officers may be able to count them; and starch makers shall provide ladders, and assist the officers in taking account of the pieces of starch; and shall do nothing to obstruct them therein, on forfeiture of 200*l.* *Ibid.*

Starch maker shall give proper notice to the officer before he break down any pieces of starch into scrapings, on forfeiture of 100*l.* And if the officer shall find, drying in the stove, any piece of starch of which no account has been taken in the box, the maker shall forfeit 100*l.* *Ibid.*

Makers shall keep scales and weights, and assist the officers therewith, on pain of 10*l.* 10 *Ann.* c. 26. and using bad ones is a penalty of 100*l.* by 10 *Geo.* 3. c. 44. but prosecution to be only under one act.

No starch shall be removed before surveyed, and notice 10 *Ann.* c. 26. on penalty of 200*l.* by 19 *Geo.* 3. c. 40.

Officers of excise or customs may enter places, and search for and seize any suspected starch, and if it is not proved that the duties are paid, the penalty is 50*l.* and obstructing officers therein, 100*l.* 4 *Geo.* 2. c. 14. and 23 *Geo.* 3. c. 21.

And by 19 *Geo.* 3. c. 40. concealment is a penalty of 100*l.*

Officers shall charge for materials missing after the rate of 25 lb. of starch, for every bushel of materials missing. 10 *Ann.* c. 26.

Starch unsurveyed shall be kept separate, on pain of 5*l.* *Ibid.*

Starch makers shall make entries on oath, weekly, particularizing the quantity made at each making, on pain of 50*l.* 19 *Geo.* 3. c. 40. and within four weeks in town and six in the country, shall pay the duties, on pain of double duty. 10 *Ann.* c. 26.

Carrying starch coastways, without a cocquet, is a forfeiture thereof. 23 *Geo.* 2. c. 21.

No starch shall be imported in a package of less than 224 lb. on forfeiture thereof, and the master shall pay 50*l.* *Ibid.* which may be stopped out of the mariners wages, if put on board without the master's knowledge. 26 *Geo.* 2. c. 32.

Officers of excise, as well as customs, may go on board vessels and seize unentered starch. 23 Geo. 2. c. 21.

Starch may be exported, and the duties drawn back. 10 Ann. c. 26. But there shall be no drawback on foreign starch exported. 23 Geo. 2. c. 21.

Starch, or powder, clandestinely imported, besides forfeiture thereof, is a penalty of 5*l.* per cwt. 23 Geo. 2. c. 21.

And persons concealing foreign starch, unentered, forfeit 50*l.* per cwt. *Ibid.*

Perfumers, barbers, or dealers in hair powder, making, using, or offering to sale, any powder mixed with alabaster, chalk, lime, or other materials, except only sweet scents, shall forfeit the same and 50*l.* 12 Ann. stat. 2. c. 9.

All hair powder made of starch, imported, shall be liable to the same duties as starch. 3 Geo. 1. c. 4.

Mixing hair powder with any alabaster, chalk or other materials, rice made into starch, and sweet scents only excepted, and using or offering it to sell, shall forfeit the same and 20*l.* 4 Geo. 2. c. 14.

Makers of hair powder shall make true entries of their work-houses at the excise office, on pain of 20*l.* *Ibid.*

Officers may enter work-houses to examine hair powder. *Ibid.*

Powder makers, or others, having in their custody any materials besides starch, for mixing or counterfeiting hair powder, shall forfeit the same and 10*l.* *Ibid.*

Not permitting officers to enter warehouses, to examine or take any sample, shall forfeit 20*l.* *Ibid.*

Utensils shall be liable to the payment of the duties. 10 Ann. c. 26.

By 13 Geo. 3. c. 7. starch may be made from rice.

By 24 Geo. 3. c. 48. no starch maker shall erect, alter or use any work-house for making or keeping of starch, or the materials for making thereof, or use any utensil, without giving proper notice to the next office, on penalty of 200*l.*

Persons assisting in making starch in unentered houses shall forfeit 30*l.* Officers may arrest such persons, and convey them before a justice, and if they refuse to pay the penalty, they may be committed for six months, and a second offence incurs double the above penalty and punishment. *Ibid.*

The name of every starch maker shall be painted over the door, or on the front of his starch house, on penalty of 100*l.* and no starch exceeding 18 lb. shall be removed, unless the word STARCH be legibly marked on the package, on penalty of forfeiture thereof, with the cattle and carriages. *Ibid.*

Dealers receiving more than 28 lb. of starch not marked as afore-said, forfeit 200*l.* and starch makers obstructing officers shall forfeit 100*l.* *Ibid.*

By 26 Geo. 3. c. 51. notice shall be given of the intention to paper starch for drying, and of the quantity. Starch shall be begun to be papered within an hour after the time expressed in the notice.



Every paper of starch shall have a label thereon, stamped by the officer, on penalty of 100*l*. Every parcel of starch found unstamped, shall be forfeited, and the owner fined 20*l*. *Ibid*.

The commissioners for starch duties shall distribute proper stamps, to be affixed without doing damage to the starch. *Ibid*.

After notice given agreeable to 25 Geo. 3. c. 74. (see page 162.) every paper of starch for exportation, shall have a proper label put thereon by the officer. *Ibid*.

Persons forging any stamp shall forfeit 100*l*. *Ibid*.

No starch shall be exported without a perfect label; but this act is not to extend to the exportation of starch made into hair powder. *Ibid*.

Starch stamped for exportation, is forfeited, if found any where, but where packed up, or removing from thence to be shipped. *Ibid*.

Scrapings of starch, left after papering, shall be mixed with the materials for making starch, and be charged with the duties. *Ibid*.

An allowance of 7-10th parts of such scrapings shall be made which are to be weighed by an officer, and dissolved and strained within one hour afterwards, on penalty of 200*l*. Scrapings shall not be taken away without notice given of boxing, nor increased in weight, on penalty of 200*l*. *Ibid*.

Damaged stamps may be replaced by the officer. *Ibid*.

All unstamped starch above 28 lb. is seizable, and the owner shall forfeit 10*s*. per lb. but this is not to extend to starch made into hair powder. *Ibid*.

Forging stamps is felony *without* clergy, and persons using them, forfeit 500*l*. *Ibid*.

Vats shall be emptied in forty-eight hours, and four waters shifted in twelve hours after beginning those operations, on penalty of 100*l*. Green waters shall remain undisturbed twenty-four hours after shifting the four waters; of which shifting a declaration is to be made, on penalty of 100*l*. for offence in either particular. *Ibid*.

If starch, of which a gauge has been taken while making, is missed, the duty on it shall be charged according to that gauge. *Ibid*.

The starch waters of different makings shall not be mixed, on penalty of 100*l*. but slimes may be mixed in presence of an officer. *Ibid*.

Starch shall not be removed from the stove without giving notice, on penalty of 200*l*. *Ibid*.

No entry shall be allowed (in places out of the limits of the head office, and where there are no church or poor rates) except to persons assessed to the duties upon houses and windows; and persons making entries, who are not qualified, are liable to the penalties of making starch without entry. *Ibid*.

Makers of stone blue shall make entries of their work-houses, on penalty of 50*l*. Officers may examine stone blues, and take samples thereof, paying for the same; and no stone blues shall be made from materials that have not paid duty, on forfeiture thereof, and also 100*l*. *Ibid*.

Unstamped

Unstamped starch, in possession of stone blue makers, shall be forfeited, and the owner fined 10*s.* *per* pound; and if more than twenty-eight pounds be found in an unentered place, the same shall be forfeited, and a fine of 50*l.* *Ibid.*

Persons refusing officers samples of stone blue, paying for the same, forfeit 50*l.* and molesting officers in the execution of their duty is a similar penalty. *Ibid.*

By 27 *Geo.* 3. *c.* 31. starch not stamped agreeable to the last act, loose starch exceeding twenty-eight pounds, and scrapings of starch, found in the possession of a dealer, or removing, shall be forfeited, with the carriages.

## Tea, Coffee, Chocolate, and Cocoa.

By 25 *Geo.* 3. *c.* 74. and 27 *Geo.* 3. *c.* 13. a duty of 5*l.* *per cent.* on the gross prices at which tea shall be sold, and also another duty of 7*l.* 10*s.* *per cent.* thereon shall be paid by the purchasers thereof to the *East India* company, who are to pay the same over to the commissioners of the excise and customs within forty days after each quarterly sale.

The duty of 5*l.* *per cent.* shall be under the management of the commissioners of customs, and the duty of 7*l.* 10*s.* *per cent.* under the management of the commissioners of excise, and both duties are *drawn back* on exportation. *Ibid.*

By 5 *Geo.* 1. *c.* 11. coffee shall be exported in the original bale, or in some bale containing the same quantity, or not less than 400 weight, except to the plantations or *Ireland*.

Roasters of coffee making use of water, grease, butter, or the like, shall forfeit 20*l.* *Ibid.*

The 7 *Geo.* 1. *stat.* 1. *c.* 21. repeals so much of any act as allows the importing tea by licence.

By 10 *Geo.* 1. *c.* 10. no chocolate ready made, or cocoa paste shall be imported, on pain of forfeiting the same.

Counterfeiting the stamp thereto, 500*l.* penalty, and imprisonment. *Ibid.* and 11 *Geo.* 1. *c.* 30.

Warehouse keeper unduly delivering out coffee or cocoa nuts to forfeit 100*l.* and be disabled. 10 *Geo.* 1. *c.* 10.

Officer not attending forfeits 10*l.* *Ibid.*

By 11 *Geo.* 1. *c.* 30. sellers of spirits having more than six pounds of coffee, tea, chocolate, or cocoa, shall be deemed dealers in the same.

Adulterating tea forfeits the same, and 100*l.* *Ibid.*

No tea to be imported but from the place of its growth. *Ibid.*

By 12 *Geo.* 1. *c.* 28. no dealer in cocoa nuts shall dispose of less than twenty-eight pounds at one time.

By 4 *Geo.* 2. *c.* 14. adulterating tea to forfeit 10*l.* for every pound; and importing cocoa nut shells or husks without the nuts, to be forfeited, with the package.

By 5 Geo. 2. c. 24. masters of ships landing in *America* coffee of foreign growth, except from *Great Britain*, shall forfeit the same and 200*l.* And persons making false oath concerning the same, forfeit 200*l.*

By 15 Geo. 2. c. 11. retailers shall take out an excise licence, paying for the same 12*d.* on penalty of 5*l.* a month.

By 18 Geo. 2. c. 26. the commissioners may appoint officers to attend the public sales of tea: and the *East India* company may import tea from any parts of *Europe*, subject to the duties, taking a licence from the treasury.

By 28 Geo. 2. c. 21. all tea above six pounds, found in *British* ships arriving from foreign parts, except employed by the *East India* company, shall be forfeited.

By 5 Geo. 3. c. 43. no coffee shall be imported in less packages than 112 pounds, and to be stowed openly in the ship, or forfeited. Importers of coffee, tea, and cocoa nuts, to enter the same in thirty days after the ship is reported or forfeited; but not to extend to the *East India* company.

Ships under fifty tons, having twenty pounds of coffee, or other forfeitable goods on board, coming from foreign parts, or hovering within two leagues of the shore, may be seized, and the ship and goods confiscated. *Ibid.*

By 6 Geo. 3. c. 13. the 28 Geo. 2. c. 21. shall not prevent licences to import tea, according to 18 Geo. 2. c. 26. from any part of *Europe*, by any person besides the *East India* company, but not to exceed the quantity in the licence, and in ships navigated according to law.

By 7 Geo. 3. c. 56. no tea shall be exported to *Ireland* or *British America* but in the original package, nor less than one lot.

Smuggled teas to be sold for exportation only, and not to be exported in less packages than fifty pounds. *Ibid.* But this as to the prohibiting the selling smuggled teas for home consumption is repealed by 8 Geo. 3. c. 25.

By 12 Geo. 3. c. 46. all dealers in tea shall mark their cannisters with the words *black* or *green*, according to their contents; by *black* tea is meant bohea, congo, fouchong, and pekoe, and by *green* tea, all other except those.

Officer finding an increase of stock of tea, may seize the same, unless a certificate produced of the duties paid. *Ibid.*

Sellers of tea under six pounds to keep distinct accounts of the quantity and sorts; not more than six pounds of tea to be removed by land or water without a permit, on forfeiture. *Ibid.*

Selling tea in other shops than those entered and approved, the seller to forfeit 10*l.* and the tea. *Ibid.*

By 12 Geo. 3. c. 60. tea shall not be exported to *Ireland* in ships less than eighty tons, on forfeiture of the tea and package.

Entering tea for *Ireland* or *America*, and landing the same in any other parts beyond sea, shall forfeit the drawback; and double the value of the tea; one moiety to the king, the other to the informer. *Ibid.*



By 13 Geo. 3. c. 44. every best bidder at the company's sales shall deposit 4*l.* per tub or chest of bohea tea.

The treasury may licence the *East India* company to export any quantity of tea to *British America*, free of customs, on entry and oath, and officer to write off the same from warrant of exportation; but no licence to be granted unless ten millions of pounds are left in the company's warehouses. *Ibid.*

By 17 Geo. 3. c. 29. dying or manufacturing sloe or liquorish leaves, or tea already used, or ash, elder, or other leaves of any tree, shrub, or plant, in imitation of tea, or mixing, colouring, staining, or dying the same with *terra japonica*, copperas, sugar, melasses, clay, logwood, or any other ingredients, or selling or having in custody any such, convicted on the oath of one witness before a justice, to forfeit for every pound 5*l.* or to be committed for twelve, and not less than six months, or till the penalty is paid.

Having more than six pounds of such leaves in possession (except gathered with the consent of the owner of the trees, or for other uses, to be proved in twenty-four hours) liable to the same penalty. *Ibid.*

On oath of suspicion of such leaves, justices may grant a search warrant, and all leaves found to be destroyed, and all persons obstructing, and occupiers of houses, where found, privy thereto, liable to the same penalty; one moiety to the informer, the other to the poor, and any parishioner may be a witness, and one justice may act. *Ibid.*

By 20 Geo. 3. c. 35. sellers of coffee, tea, or chocolate, shall take a licence from the excise at 5*s.* each yearly, on penalty of 20*l.* but partners need not take more than one licence for one house.

By 21 Geo. 3. c. 55. the duties payable upon chocolate made in *Great Britain* are repealed; but former rules relating to packing and stamping of chocolate shall remain in force.

The garble of cocoa nuts shall be burnt. Cocoa nuts and chocolate for which duties have been paid, may be exported, giving security not to reland the same; and if they are relanded, they are forfeited. Exporter shall give notice to the officer two days before the same are put on shipboard, and the stamp shall be taken off from all chocolate exported. *Ibid.*

Damaged coffee, or damaged cocoa nuts, the first under 18*d.* per pound, the other under 1*s.* not to be sold for home consumption; but secured in warehouses, and not to be taken thereout until sufficient security be given for the exportation thereof. One third shall be allowed to the officer out of the produce of coffee, &c. seized for unlawful importation; but in case the coffee or chocolate is unsaleable, he shall have 6*d.* per pound.

By 23 Geo. 3. c. 11. all cocoa nuts exported shall be allowed the full duties payable on importation thereof

By 23 Geo. 3. c. 79. no cocoa nuts shall be put on board any vessel in the *British* islands in *America* until the planter thereof has made oath that they are the produce of his own plantation, before the proper officer, previous to entry of the nuts, and another oath that they are the same. The master of the vessel is also to be sworn, that

he will not take any more nuts on board before his arrival in *England*. Certificates of such affidavits are to be produced to the proper officer at the port of importation; and upon entry of such nuts at the customhouse, each parcel shall be marked, to denote they are the growth of the *British* plantations.

Commanders who shall take on board, or land in *America* any cocoa nuts of foreign growth (except exported from *England*;) shall forfeit the same and 200*l.* and be imprisoned one year. *Ibid.*

Persons falsely swearing under this act, or forging a certificate, shall forfeit 200*l.* *Ibid.*

By 24 *Geo.* 3. c. 38. (generally known by the name of the *Commutation Act*) the *East India* company shall not put up their tea for sale at any price which shall, upon the whole of the tea so put up, exceed the prime cost thereof, with the charges of importation, together with lawful interest from the time of the tea's arrival in *England*, and the common premium of insurance; and the company are always to have at least one year's consumption in their warehouses.

The import duties on coffee and cocoa nuts shall be under the management of the commissioners of customs, and shall be paid in ready money. *Ibid.*

Coffee and cocoa nuts imported shall be put into the king's warehouse, under locks, at landing thereof, and shall not be delivered out, if for exportation, but under the like regulations as for *East India* goods prohibited, and if for home consumption till the duties are paid: and if such coffee or cocoa nuts shall not be exported, or the duties paid within twelve months, the commissioners of the customs may sell the same. *Ibid.* and 10 *Geo.* 1. c. 10.

By 27 *Geo.* 3. c. 13. COCOA NUTS and COFFEE, the produce of any *British* colony in *America*, that have been secured in warehouses on importation, when taken out for home consumption, pay an excise duty of 6½*d.* per pound. The produce of any other place, the pound, 1*s.* 8*d.*

A drawback is allowed on the exportation of chocolate made in *Great Britain* from cocoa nuts, the produce of any *British* colony in *America*, the pound, 5*d.* from cocoa the produce of any other place, the pound, 1*s.* 4*d.*

The powers in force, on passing 24 *Geo.* 3. c. 38. shall extend to the securing the duties thereby repealed, and also to the levying the duties of excise imposed in the present sessions on cocoa nuts and coffee, c. 31.

## Wine.

By 27 *Geo.* 3. c. 13. wines *French*, *Rhenish*, *German*, or *Hungary*, imported, pay per ton, 17*l.* 17*s.* and all other wines, 11*l.* 18*s.* per ton.

Drawbacks on *Rhenish*, *German*, or *Hungarian* wines, exported to any *British* colony in *America*, per ton, 14*l.* 7*s.*

— to the *East Indies*, per ton, 9*l.* 17*s.* and to any other place, 5*l.* 13*s.*

*Drawbacks* on all wines, except *French, Rhenish, German, or Hungarian*, exported to any *British* colony in *America*, the ton 9*l.* 11*s.* 4*d.* to the *East Indies*, 6*l.* 11*s.* 4*d.* and to any other place, 3*l.* 15*s.* 4*d.*

— on every ton of *French* wine exported to the *British* plantations in *America* or the *East Indies*, 14*l.* 7*s.* exported to any other place, 5*l.* 13*s.*

By 25 *Geo.* 3. *c.* 69. wines may be imported in small casks for private use.

By 26 *Geo.* 3. *c.* 59. the duties on wine imported shall be under the management of the commissioners of excise.

If within twenty days after entry should be made of the vessel, according to 13 & 14 *Car.* 2. *c.* 11. due entry of the wine be not made at the port of importation, it may be conveyed to the king's warehouse, and in three months sold, if the duties be not paid; and the money arising from such sale is to be divided, when insufficient to pay the whole of the duties, into two parts, in the proportion of three to two, and the greatest sum shall be paid to the commissioners of customs, and the least to the commissioners of excise, towards paying the respective duties. *Ibid.*

Wine landed before the duties are paid is forfeited; and persons assisting therein shall forfeit treble the value of the wine. *Ibid.*

Wine brought in ships, if not more than sixty tons, is forfeited, with the vessel, unless such wine be for the use of the crew, and not greater in quantity than two gallons *per* man. *Ibid.*

Wholesale dealers in foreign wine shall take out *excise* licences, which are to be granted without fees. *Ibid.*

Licences are to be renewed annually ten days before the expiration of the old one. Persons selling wine by wholesale without a licence, forfeit 100*l.* One licence is sufficient for a partnership in one house; and no licence shall authorize the sale of wine in any other than the place of entry. *Ibid.*

Commissioners may empower auctioneers to sell foreign wine by auction, on proof of duties paid. *Ibid.*

Persons taking out licences for retailing foreign wine, shall be deemed wholesale dealers, if they have not licences for retailing spirituous liquors, or ale. This is not to extend to the universities; and no person whatsoever shall sell wine by the pint, or like measure, without taking out a retail licence, as by law required (*stamps*). *Ibid.*

Entry shall be made of all warehouses, on penalty of 100*l.* and forfeiture of the wine therein, except wine on quays; and persons making entry of places already entered shall be deemed dealers without entry, and be liable to the penalties. *Ibid.*

Every place for keeping or selling wine must have thereon the words, *Dealer in Foreign Wine*, on penalty of 50*l.* Persons putting those words on unentered places shall forfeit 100*l.* *Ibid.*

An account of the wine in store on July 5, 1786, shall be delivered at the next office of excise within three days, or the same shall be forfeited. *Ibid.*



Officers may at all times enter warehouses to take an account of stock, and may open vessels or bottles. Officers shall be permitted to take samples, on paying for the same, on penalty of 100*l*. The quality and quantity of wine shall be marked on all vessels containing more than three gallons, or shall be forfeited. *Ibid*.

Casks and places for keeping wine shall be shewn to the officer, and by him marked, otherwise the wine shall be forfeited, and marks on casks made by the officer shall not be defaced, on penalty of 50*l*. *Ibid*.

No bin or place containing more than three gallons shall be erected, enlarged, or used, without notice being given to the excise, on penalty of 50*l*. *Ibid*.

Notice shall be given of an intention to draw off wine, with the quantity, that the officer may attend; and declaration shall be made of the place where it is to be deposited; no wine shall be removed without notice. Drawing off or bottling wine without giving due notice is a penalty of 50*l*. But persons are not liable to the penalty for a small difference in the number of bottles drawn off, and in the notice; and if wine be not begun to be bottled off within an hour after the time mentioned, the notice shall be void, and a fresh one must be given; but this is not to prevent wine from being drawn off at any time to be sent out immediately. *Ibid*.

Different sorts of wines shall be kept separate, on penalty of 50*l*. and retail dealers not keeping cyder, spirits, or other liquors, in places separate from foreign wines, shall forfeit the same, and 10*s*. per gallon. *Ibid*.

Dealers in foreign wine shall not have any *sweets* in their possession, on penalty of forfeiture thereof, and 10*s*. per gallon; but this is not to extend to the quantity in hand, on July 5, 1786, which may be sold before December 1, 1786. *Ibid*.

An account shall be kept by dealers of the quantity of wine daily sold. The quantity of three gallons shall not be removed without a permit. Entry books shall be provided by the excise; and when filled up, shall be returned to the officer, verified upon oath. Entry books shall lie open for the inspection of the officer; and not keeping books is a penalty of 20*l*. *Ibid*.

If an excess in a stock of wine be found, it is forfeited, and also double it's value; but this is not to extend to an excess, occasioned by receiving wine from any lawful quay. *Ibid*.

Cyder, spirits, or other liquors found in the possession of a wholesale dealer, shall be deemed foreign wine. Permits shall be given without fee, but shall not be granted, unless the request contains the quantity to be removed; and wine removed contrary to this act is seizable, together with all carriages. *Ibid*.

Wine brought into a warehouse without a permit shall be forfeited. Permits shall be granted for the removal of wine belonging to private persons: but if removed contrary hereto, is forfeited. Wine exceeding three gallons is forfeited if found removing without a permit. Wine removed, and not delivered in time limited, shall be deemed as removing without a permit; but such wine shall be re-stored,

stored, on a recognizance being entered into, to prove it could not be delivered in time. *Ibid.*

If wine be not sent away by wholesale dealers, agreeable to permits, they must be returned, on penalty of treble the value; and if on taking stock, a decrease proportionate to the contents of the permit does not appear, a like quantity may be seized. *Ibid.*

Private persons not removing wine agreeable to permits, must return them, on penalty of treble the value of the wine. *Ibid.*

Persons giving or using false permits shall forfeit 500*l.* and forging a certificate of recognizance is a like penalty. *Ibid.*

In every action for the said penalty, sufficient bail shall be given. Wine fraudulently hid shall be forfeited; and officers, under a justice's warrant, may enter any place where they suspect wine to be fraudulently deposited. *Ibid.*

Officers of excise may go on board ships, and search them, in like manner as officers of customs. Persons attempting to corrupt officers forfeit 100*l.* and persons obstructing them incur a like penalty. *Ibid.*

No drawback shall be allowed on the exportation of wine, unless before it is packed, notice shall be sent to the proper officers, who are to seal the packages; and such packages sealed for exportation shall not be opened, on penalty of 50*l.* *Ibid.*

Bond shall be given for the exportation of wine, and oath made that the duties thereon have been paid; and certificates of the quantity of wine exported, shall intitle the exporter to the drawbacks.

Officers may open and inspect wine packed for exportation; and if any part be unshipped, it shall be forfeited. Officers are not intitled to reward, unless notice of seizure be given within twelve hours. Account of seized wine shall be taken, and not removed without a permit. Dealers in wine are not to act as justices under this act, a *noli prosequi* may be entered where penalties have been unintentionally incurred, and the goods may be restored. *Ibid.*

By 27 Geo. 3. c. 31. out of the duties on foreign wine imposed by c. 13. there shall be paid to the dealers in such wines for their stock between May 9, and 15, the sums following, viz. for every ton of *French* wine imported into the port of *London*, 49*l.* 0*s.* 4*d.* For every ton of *Portugal* or *Spanish* wine so imported 14*l.* 9*s.* 10*d.* For every ton of *French* wine imported into any other port than *London* 48*l.* 17*s.* 3*d.* For every ton of *Portugal* or *Spanish* wine so imported 12*l.* 18*s.* 8*d.* But no allowance shall be paid unless applied for before 5th of *July* 1787, nor unless a certificate be produced, that the duty of customs has been paid.

No dealer shall be entitled to any allowance until a month after application, nor unless his stock exceed a ton. *Ibid.*

Allowances shall be paid at four equal payments; but if such wine be exported, the drawback shall be the same as for wine imported after May 10, 787. *Ibid.*

If any excess be found in the stock of any dealer, it is forfeited, and also double its value. *Ibid.*

The allowances may be paid out of any excise duties, if those on foreign wines shall be insufficient. *Ibid.*

*Wire.*

By 27 Geo. 3. c. 13. there shall be paid a duty of  $9\frac{1}{4}d.$  an ounce on all *gilt* wire, and  $7d.$  an ounce on all *silver* wire, made in *England*, and the importation of all such wire is prohibited by 15 Geo. 2. c. 20. and 22 Geo. 2. c. 36.

Places of making are to be entered at the excise office, on pain of 20*l.* and forfeiture of all wire or bars for making the same, the officers may enter and survey, and if obstructed, the penalty is 20*l.* just scales and weights are to be kept, on pain of 10*l.* 10 Ann. c. 26. or the offender may be prosecuted for using the same under 10 Geo. 3. the penalty wherein is 100*l.*

The officer shall make an allowance of one fifth for waste; removing wire before surveyed is a penalty of 40*l.* and unsurveyed wire shall be kept separate; on pain of 10*l.* concealment is a penalty of 20*l.* 10 Ann. c. 26.

Entry shall be made on oath, every month, of wire made, and the duties are to be paid within six weeks after; on pain of double duty. *Ibid.*

Utenils are liable for the duties. *Ibid.*

By 15 Geo. 2. c. 20. every ingot to make wire, shall be weighed in the presence of an officer; on pain of 20*l.*

The 27 Geo. 3. c. 13. allows a *drawback* on the exportation of *gold* thread, lace or fringe, made of *gilt* wire, spun upon silk of 7*s.* 8*d.* per pound, and of 5*s.* 9*d.* per pound on exportation of *silver* thread, lace, or fringe, made of *silver* wire, spun upon silk.

**Excommunication.**

By 38 Hen. 3. stat. 1. sentence of excommunication is given by the bishops against the breakers of the great charter.

By 9 Ed. 2. c. 7. the king's letters to discharge one excommunicated, shall only go where it is found that the king's liberty is prejudiced by the excommunication.

If any of the king's tenants, being cited before the bishop out of their parish, be excommunicate for contumacy, they shall not have privilege against the writ *de excommunicato capiendo*. *Ibid.* c. 12.

By 9 Ed. 3. bishops may excommunicate the perturbors of the peace of holy church, felons, false jurors, and maintainers.

By 5 Eliz. c. 23. the writ of *excommunicato capiendo* shall be awarded out of the court of chancery, in term time, returnable in the king's bench, in the term next after the *teste* and shall contain at least twenty days between the *teste* and return, and the sheriff not duly returning the writ shall be amerced.



The sheriff need not bring the body of the person named in such writ, but shall return the same, and how executed. *Ibid.*

If the sheriff return a *non est inventus*, the king's bench shall award a *capias* against the party, returnable there in term time, two months at least after the teste, with proclamation therein, to be made. *Ibid.*

If it appears upon the sheriff's return, that the party has not yielded himself, he shall forfeit 10*l.* to be estreated into the exchequer. *Ibid.*

A *capias* shall be awarded on default; infinitely, and on each 20*l.* forfeiture; and when the offender yields his body, he shall be imprisoned without bail. *Ibid.*

Sheriff making untrue return to such *capias*, that the party hath not yielded his body, or the like, shall forfeit 40*l.* to the party grieved. *Ibid.*

But the bishops may absolve and release the excommunicate. In places where the king's writ doth not run, the tenor of such *significavit* shall be sent by mittimus or the like, and the justices shall proceed there in such manner as the justices of the king's bench are limited to do. *Ibid.*

Persons at the time of *capias* awarded, being within age, insane, feme covert, or disabled, shall not incur any of the said penalties. *Ibid.*

If the party against whom the writ is awarded has not sufficient addition according to 1 *Hen.* 5. or the *significavit* does not contain some cause, heresy, or the like, the penalties and proceedings herein shall be void. *Ibid.*

Where the addition is with a *late* of some place, one writ of proclamation shall be awarded into that county, where most commonly resident, without any pain expressed. *Ibid.*

## Execution.

By 13 *Ed.* 1. c. 18. on recovery of debt acknowledged, or damages, the plaintiff may *elect* to have a *scire facias* of the lands and goods, or that the sheriff deliver to him all the debtor's chattels, except oxen and beasts of plough, and a moiety of his land, upon reasonable extent, until the debt is levied.

On obligations or the like recorded, execution may be sued forthwith, but after the year, not without a *scire facias*. *Ibid.* c. 45.

By 32 *Hen.* 8. c. 5. cognizee or obligee, where lands delivered to him in execution, are recovered from him, without his default or fraud, shall have a *scire facias* against the first defendant, his heirs or executors, for levying the residue of his debt.

By 21 *Jac.* 1 c. 24. new execution may be awarded against the lands or goods of him that dies in execution; but the same shall not prejudice the sale of lands made *bona fide* for payment of any of his creditors.

By

**Extortion.**

By 16 & 17 *Car. 2. c. 5.* made perpetual by 22 *Car. 2. c. 2.* extent on judgment, statute, or recognizance shall not be avoided or delayed, by omitting part of the lands extendible, saving the remedy of the party for contribution: but this act shall not give any contribution against an heir during his minority; and shall extend only to statutes for payment of money, and to extents within twenty years.

By 29 *Car. 2. c. 3.* writs of execution shall bind the property of goods, but from the time of their delivery to the sheriff.

**Executors.**

By 4 *Ed. 3. c. 7.* executors shall have an action of trespass for goods taken in the life of the testator, and recover damages.

By 9 *Ed. 3. c. 3.* all the executors shall have but one essoin, and he that comes first on the grand distress, shall answer; and judgment and execution shall go against such as have pleaded.

By 25 *Ed. 3. stat. 5. c. 5.* executors of executors shall maintain actions, and be answerable, in the same manner as the first testator or executors.

By 21 *Hen. 8. c. 4.* such part of the executors who take upon themselves the charge of the will, may sell land devised by the testator to be sold.

By 43 *Eliz. c. 8.* persons obtaining goods of an intestate fraudulently, shall answer as executors of their own wrong.

By 30 *Car. 2. c. 7.* made perpetual by 4 & 5 *Will. & Mar. c. 24.* executors or administrators of executor of his own wrong shall be chargeable in the same manner as their testator or intestate would be.

By 4 & 5 *Will. & Mar. c. 24.* executors or administrators of actual executors or administrators who wasted the effects, shall be in like manner chargeable.

**Extortion.**

By 3 *Ed. 1. c. 26, 27, 30.* no sheriff, or other king's officer shall take any reward for executing his office, except of the king, on pain of rendering twice as much: and officers and marshalls of justices, guilty of extortion, are to render treble value; and lose their office.

By 1 *Jac. 1. c. 10.* no person to whom any order or cause shall be referred by any court, shall take any reward for his report; on pain of 100*l.* and the clerk is to take no more than 12*d.* for writing the first side of such report, and 2*d.* for every other, on pain of 10*s.* for every penny above.

## Fairs and Markets.

**B**Y 2 *Ed. 3. c. 15.* fairs by charter or custom shall be proclaimed at the beginning how long they shall endure, and if held over the due time, shall be seized into the king's hands, until fine made.

By 5 *Ed. 3. c. 5.* merchants selling any ware after the fair is ended, shall forfeit double the value, the fourth part to the informer.

By 27 *Hen. 6. c. 5.* all fairs and markets shall cease on *Sundays, Good Friday, Ascension, and Whitsunday*, except for necessary victuals.

By 17 *Ed. 4. c. 2.* perpetuated by 1 *Ric. 3. c. 6.* in a court of pie-powder the plaintiff shall be sworn that the cause of action arose in and during the fair, and the defendant may plead to the action. This act is not to prejudice the bishop of *Durham*.

By 1 & 2 *Phil. & Mar. c. 7.* no person dwelling in the country shall retail cloth, grocery, or mercery wares, in any city or town corporate, but in open fairs; on forfeiture thereof, and 6 *s. 8 d.* This act does not extend to the freemen of such cities, persons selling home-made cloth, or to the universities.

## Fee-farm Rents.

By 22 *Car. 2. c. 6.* the king by letters patent may grant before *June 1672*, divers fee-farm rents due in right of his crown, or in right of his duchies of *Launcester* and *Cornwall*, except quit rents, to trustees to make sale thereof, who shall convey the same by bargain and sale to purchasers, which purchasers shall enjoy such rents, and distrain for, and recover the same, as his majesty.

Fee farm rents not paid for forty years last past, shall not be inserted in the patents, corporations may purchase the fee farm rents notwithstanding any statute of mortmain; but this act shall not extend to any fee-farm rents arising within the principality of *Wales*. *Ibid.*

By 22 & 23 *Car. 2. c. 24.* purchasers shewing the act and the conveyance enrolled, shall be sufficient evidence.

No tenant in tail of the said rents shall suffer any recovery to bar the remainder vested in the trustees. *Ibid.*

Purchasers may justify generally by saying that the trustees were seized in fee, and so granted to them. *Ibid.*

By 10 *Ann. c. 18.* the description of the fee farm rents in the bargain and sale made by the trustees, shall be sufficient in pleading the titles. But not to extend to rent which has not been paid in twenty years before the time of such pleading.

## Fees.

By 13 *Ed. 1. c. 42.* The king's marshall and chamberlain shall have of archbishops, bishops, earls, barons, and others holding an entire



entire barony, a fine when they do homage; and of other spiritual and temporal persons, who hold not an intire barony, the chamberlain shall have their upper garments, or the price thereof.

Porters to justices in the circuit for homage done in the bench shall have the upper garment; for keeping a jury 10*d.* Upon a recovery 4*d.* on attaints, great assizes and the like 1*s.* pleas of the crown 1*s.* per dozen, for every prisoner delivered 4*d.* the chirographer's fee 4*s.* clerk for every writ 1*d.* *Ibid.* c. 44.

## Felons and Felony.

By *Mag. Chart.* 9 *Hen.* 3. c. 22. and 17 *Ed.* 2. *stat.* 1. c. 16. the king is to hold the lands of those who are convict of felony, but one year and one day, and then the lands are to be delivered to the lords of the fee.

By 3 *Ed.* 1. c. 12. notorious felons, who will not put themselves in inquests of felonies with which they are charged, shall have strong and hard imprisonment.

By 17 *Ed.* 2. c. 16. after the year, day, and waste, lands of felons, within the custom of *Gloucester*, and in *Kent* in gavelkind, shall be restored to the next heir.

By 5 *Ed.* 3. c. 11. justices assigned to hear and determine felonies, shall direct writs to all the counties to take the persons indicted.

By 25 *Ed.* 3. *stat.* 5. c. 14. a writ of *capias* shall be awarded to the sheriff to take the body of any man indicted of felony, and on *non est inventus* returned, another *capias* and that he cause his chattels to be seized, until he appear, and if the indicted cometh not, the *exigent* shall be awarded.

By 6 *Hen.* 8. c. 6. the justices of the king's bench may remand prisoners out of that court, to be tried in the proper counties.

By 21 *Hen.* 8. c. 11. the party robbed shall have restitution of his goods, after the felon is found guilty.

By 22 *Hen.* 8. c. 14. perpetuated by 32 *Hen.* 8. c. 3. all foreign pleas triable by the country, shall be tried where the felon is arraigned.

By 24 *Hen.* 8. c. 5. any person indicted for the death of one attempting to commit murder, robbery, or burglary, shall be fully acquitted and discharged.

By 1 *Ed.* 6. c. 12. the wife shall enjoy dower though the husband be attainted of treason, murder, or felony.

All statutes since 1 *Hen.* 8. making that felony which was not so before, are repealed by the same act, and also by 1 *Mar.* *stat.* 1. c. 1.

By 2 & 3 *Phil.* & *Mar.* c. 10. a justice of peace shall examine him that is suspected of manslaughter or felony, before commitment, and within two days after such examination, put the same into writing, and he shall bind the accusers to give evidence again the prisoner.

By 10 & 11 *Will.* 3. c. 23. the apprehenders prosecuting to conviction, persons guilty of stealing to the value of 5*s.* out of any shop, warehouse, coach-house or stable, are to have a certificate, assignable once, which shall exempt from parish offices.

Persons guilty of burglary, housebreaking, or felony under this act, discovering two or more such felons, are entitled to the king's pardon. *Ibid.*

No clerk of assize or other person shall take more than 2*s.* for drawing a bill of indictment. *Ibid.*

By 1 *Ann. stat.* 2. c. 9. felony in destroying any ship, committed on the high seas, may be tried in any county directed by commission under the great seal, and the party convicted shall suffer death *without* clergy.

By 5 *Ann.* c. 6. persons convicted of theft or larceny shall be burnt in the hand as formerly, and the judge may at discretion commit them to some house of correction for not more than two years, nor less than six months; and if they escape thereout, on being retaken, they are to be imprisoned for not less than one year, nor more than four.

Convicts of felony are to have benefit of clergy, without being required to read. *Ibid.*

By 5 *Ann.* c. 31. apprehenders of burglars, or persons breaking houses in the day time, are, on their conviction, to have a further reward of 40*l.* payable by the sheriff, to be proportioned, in case of dispute, as the judge, in his certificate shall direct.

If any watchman or other person be killed in pursuit of such housebreaker, his executor is to have the reward. *Ibid.*

Sheriffs are to be allowed such rewards in their accounts, and if they have not sufficient in hand, they are to be reimbursed by the treasury, upon certificate from the clerk of the pipe. *Ibid.*

A burglar or housebreaker discovering two or more such felons is intitled, on their conviction, to a reward of 40*l.* and pardon. *Ibid.*

No sheriff of *London* or *Middlesex* shall take of his under-sheriff any gratuity, for his place, nor oblige him to be at any expence, except the rewards to apprehenders, the fees of passing such sheriff's accounts, and the customary disbursements. *Ibid.*

By 12 *Ann. stat.* 1 c. 7. persons stealing to the value of 40*s.* in a dwelling-house, though the same be not broken or any person therein, shall be debarred the benefit of clergy. But this does not extend to apprentices under 15.

By 9 *Geo.* 1. c. 32. offenders against this, *the Black Act*, informed against, and not surrendering on proclamation printed in the *London* gazette, are to be deemed convicted, and persons harbouring them after such notice are felons *without* benefit of clergy.

The justices are to give certificates to persons wounded, or to the executor of persons killed in apprehending felons under this act, which entitles them to a reward of 50*l.* from the sheriff. *Ibid.*

By 25 *Geo.* 2. c. 36. in prosecutions for felony, the court may order the prosecutor's expences to be paid by the treasurer of the county.

By 27 *Geo. 2. c. 3.* poor persons, bound to give evidence against felons, may have such allowance as the court shall deem reasonable.

By 18 *Geo. 3. c. 19.* on trial for felony, the court may order the treasurer of the county to pay the prosecutor his expences, and for loss of time, and also to persons appearing on recognizance or subpœna; and the quarter sessions are to allow the like with the approbation of the judge of assize.

By 19 *Geo. 3. c. 74.* the court may fine a felon liable to be burnt in the hand, or order him to be whipped; but this act does not take away the power to imprison.

### *Felonies within, or without benefit of clergy.*

#### *Accessaries.*

By 23 *Hen. 8. c. 1.* perpetuated by 32 *Hen. 8. c. 3.* accessaries before the fact in petit treason, murder, burglary; robbery in dwelling-houses, churches, or in or near highways, burning houses or of barns wherein any corn or grain shall be. Felony *without* benefit of clergy.

By 31 *Eliz. c. 12.* an accessary to an horse-stealer, before or after such felony, shall not have benefit of clergy.

By 39 *Eliz. c. 9.* accessaries before the offence, in stealing women who are heirs apparent, or have lands, shall not have benefit of clergy.

By 21 *Jac. 1. c. 26.* accessaries before the fact in procuring any fine, recovery, deed indented, statute, recognizance, bail, or judgment, in the name of another not privy thereto, shall not have benefit of clergy.

By 22 & 23 *Car. 2. c. 1.* accessaries before the fact in malicious maiming, shall not have benefit of clergy.

By 3 & 4 *Will. & Mar. c. 9.* accessaries before the fact in burglary or in robbing any dwelling-house, shop or warehouse, shall not have benefit of clergy; and buyers of stolen goods knowing the same, shall be deemed accessaries to such felony, after the fact.

By 10 & 11 *Will. 3. c. 23.* accessaries before the fact in robberies in shops, warehouses, coach-houses, or stables, shall not have benefit of clergy.

By 11 & 12 *Will. 3. c. 7.* persons setting forth, or assisting any pirate, or after the piracy committed, concealing such pirate, shall be deemed accessaries, and shall be tried and suffer as the principals. *Made perpetual by 6 Geo. 1. c. 19.*

By 1 *Ann. stat. 2. c. 9.* if principal in felony be convicted, it shall be lawful to proceed against any accessary, in the same manner as if the principal had been attainted.

Buyers or receivers of stolen goods may be punished as for misdemeanor, where the principal felon is not convicted. *Ibid.* and also 5 *Ann. c. 31.*

By



By 5 *Ann.* c. 31. buyers or receivers of stolen goods shall be deemed accessaries, *without* benefit of clergy.

By 8 *Geo.* 1. c. 24. persons declared accessaries to piracy, by 11 & 12 *Will.* 3. c. 7. shall be deemed principals, *without* benefit of clergy.

By 2 *Geo.* 2. c. 25. made perpetual by 9 *Geo.* 2. c. 18. accessaries to forgery of any deed, will, bond, bill of exchange, promissory note, indorsement, acquittance, or receipt, —felons, *without* benefit of clergy.

By 7 *Geo.* 2. c. 22. accessaries to forging or altering the acceptance of bills of exchange, or the number or sums of any accountable receipt, or any warrant or order for payment of money, or delivery of goods, —felons *without* benefit of clergy.

By 14 *Geo.* 2. c. 6. and 15 *Geo.* 2. c. 34. accessaries before the fact in stealing sheep, —felons *without* benefit of clergy.

By 18 *Geo.* 2. c. 27. accessaries before the fact in stealing linen, fustian, callico, cloth, or cloth woven, out of any bleaching grounds, —felons *without* benefit of clergy.

By 24 *Geo.* 2. c. 45. accessaries before the fact in stealing goods, of the value of 40s. on board any vessel, or upon any quay, adjacent to any navigable river, —felons *without* benefit of clergy.

By 29 *Geo.* 2. c. 30. buyers or receivers of lead, iron, copper, brass, or bell metal, knowing the same to be stolen, may be convicted and transported for seven years, although the principal felon has not been convicted; felon convicting the receiver pardoned.

By 31 *Geo.* 2. c. 20. procuring London bridge, or any works belonging thereto, to be burnt or destroyed; —felony *without* benefit of clergy.

## Affault.

By 6 *Geo.* 1. c. 23. assaulting any person in the streets or highways, with intent to tear or spoil their clothes, shall be felony, and the offender may be transported for seven years.

## Bail.

By 21 *Jac.* 1. c. 26. acknowledging bail in the name of another, not privy thereto, shall be felony *without* benefit of clergy.

By 4 *Will. & Mar.* c. 4. personating bail before commissioners in the country, is felony.

## Bank of England.

By 15 *Geo.* 2. c. 13. any officer or servant of the company, who shall secret, imbezil, or run away with any note, bill, dividend warrant, bond, deed, or security for money, shall be deemed guilty of felony, *without* benefit of clergy.

By 13 *Geo.* 3. c. 79. making, using, procuring, or assisting in making or using, or knowingly having in custody any frame, mould, or instrument, for making paper, with the words, *Bank of England*,

*land*, visible in the substance of such paper, or procuring the same;—felony *without* benefit of clergy.

Persons engraving, cutting, etching, or scraping, in mezzotinto, on any plate of copper, brass, steel, pewter, or other metal, any promissory note, inland bill, or bill of exchange, or blank for the same, containing the words, *Bank of England*, or *Bank Post Bill*, or any sum in white letters or figures, on black ground, or procuring the same, or having in custody, or publishing such, shall be imprisoned for six months. *Ibid.*

### *Bankrupt.*

By 5 *Geo. 2. c. 30.* bankrupt not surrendering within forty-two days notice, and conforming to the statutes, or imbeziling goods to the value of 20*l.* is guilty of felony *without* benefit of clergy.

### *Banks.*

By 6 *Geo. 2. c. 37.* made perpetual by 31 *Geo. 2. c. 42.* maliciously breaking down the bank of any river, or any sea bank; felony *without* benefit of clergy.

By 4 *Geo. 3. c. 12.* damaging banks, floodgates, or works of rivers, made navigable by act of parliament;—transportation for seven years.

### *Bastard.*

By 21 *Jac. 1. c. 27.* and 16 *Car. 1. c. 4.* the mother of a bastard child, endeavouring to conceal the death thereof, as that it may not come to light, whether it were born alive or not, shall suffer death as in case of murder, unless she can prove that the child was born dead.

### *Bigamy.*

By 1 *Jac. 1. c. 11.* persons, unless divorced, or married within age of consent, marrying a second husband or wife, the former being living, and not absenting beyond sea for seven years, are guilty of felony.

### *Black Act.*

By 9 *Geo. 1. c. 22.* perpetuated by 31 *Geo. 2. c. 42.* persons disguised, and appearing in arms in any forest, park, warren, or like place, and killing or stealing deer, fish, or the like, or breaking down the head of any fish pond, maliciously wounding any cattle, destroying any trees planted in any avenue there, or setting fire to any house, barn, or the like, or shooting at any persons, or sending letters without a name, demanding money, or rescuing such offenders, or procuring others to join in any such unlawful act, shall be deemed felons *without* benefit of clergy.

## Bonds.

By 2 Geo. 2. c. 25. stealing bonds, or obligations, shall be felony, in like manner as other goods of such value.

## Bridges.

By 12 Geo. 1. c. 36. burning or destroying *Fulham* bridge, is felony, *without* benefit of clergy.

By 9 Geo. 2. c. 29. persons wilfully destroying or damaging *Westminster* bridge, are guilty of felony *without* benefit of clergy.

By 20 Geo. 2. c. 22. burning or destroying *Walton* bridge, or any of the works, is felony.

By 23 Geo. 2. c. 37. wilfully damaging *Hampton Court* bridge, is felony.

By 24 Geo. 2. c. 36. wilfully destroying the bridge over the river *Ribble*, and by 28 Geo. 2. c. 55. that at *Sandwich* is felony.

By 29 Geo. 2. c. 40. destroying or damaging *London* bridge, or any of the works, is felony; and by 31 Geo. 2. c. 20. *without* benefit of clergy.

By 29 Geo. 2. c. 73. destroying *Wye* bridge, is felony.

By 29 Geo. 2. c. 86. destroying or damaging *Blackfriars* bridge, is felony.

By 30 Geo. 2. c. 59. the like punishment, for the same offence, as to the bridge at *Jeremy's Ferry*.

By 30 Geo. 2. c. 63. and 31 Geo. 2. c. 46. the like as to the bridge at *Old Brentford*.

By 31 Geo. 2. c. 59. the like as to the bridge cross the *Trent* at *Wilson's Ferry*.

## Buggery.

By 25 Hen. 8. c. 6. 32 Hen. 8. c. 3. 2 & 3 Ed. 6. c. 9. and 1 Mar. c. 1. *revised and made perpetual* by 5 Eliz. c. 17. buggery with man or beast, is felony, *without* benefit of clergy. These acts extend to women as well as men.

## Burglary.

By 1 Ed. 6. c. 12. no person shall have his clergy who is indicted of burglary, and on his arraignment stands mute, or challenges above twenty persons: also 25 Hen. 8. c. 3. 28 Hen. 8. c. 1. 32 Hen. 8. c. 9. and 5 & 6 Ed. 6. c. 10.

Or is attainted where the goods were carried which were stolen in another county. *Ibid.*

By 5 & 6 Ed. 6. c. 9. and 18 Eliz. c. 7. persons committing burglary, the owner being in another part of the house, or asleep, or in a tent or booth in a fair or market, shall not have benefit of clergy.

By 12 Ann. stat. 1. c. 7. entering into an house without breaking it, or being there committing felony, and breaking it in the night to get out, shall be burglary.



## Felons and Felony.

### Burning.

By 23 *Hen. 1. c. 1.* persons wilfully burning any dwelling-house, or barn, wherein any grain or corn shall be, shall *not* have benefit of clergy.

By 43 *Eliz. c. 13.* burning of barns, or stacks of corn, in *Cumberland, Northumberland, Westmorland*, and the bishoprick of *Durham*, shall be felony *without* benefit of clergy.

The 22 & 23 *Car. 2. c. 7.* makes it felony to burn any ricks of corn, hay, or barns, in the night-time; but the convict may elect to be transported.

By 1 *Geo. 1. stat. 2. c. 48.* the malicious burning any wood, underwood, or coppice, is made felony,

### Cattle.

By 22 & 23 *Car. 2. c. 27.* maliciously killing any horses, sheep, or other cattle, in the night-time, shall be felony; but the convict may elect to be transported.

### Challenge of Jurors.

One indicted for felony, *without* benefit of clergy, challenging above the number of twenty peremptorily, shall lose his clergy, as if convicted. 25 *Hen. 8. c. 3.* 5 & 6 *Ed. 6. c. 10.* 4 & 5 *Phil. & Mar. c. 4.* 3 & 4 *Will. & Mar. c. 9.* 1 *Ann. stat. 2. c. 9.*

### Cloth.

By 22 *Car. 2. c. 5.* stealing cloth from the tenter in the night-time, felony *without* benefit of clergy.

By 15 *Geo. 2. c. 27.* stealing or taking away cloth from the tenter, felony, and transportation for seven years for the third offence.

### Coals.

By 10 *Geo. 2. c. 32.* made perpetual by 31 *Geo. 2. c. 42.* setting a mine, pit, or delph of coals on fire,—felony *without* benefit of clergy.

### Corn.

By 11 *Geo. 2. c. 22.* using violence to hinder the exportation of corn, is, for the second offence, made felony; or destroying granaries, or corn therein; and returning from transportation for such offence within the seven years, shall be felony *without* benefit of clergy.

Satisfaction for such damages may be recovered from the hundred (not exceeding 100 *l.*) as in cases of robbery; but notice is to be given within two days after the fact to a constable, and the examination, upon oath, must be within three days. If any one of the offenders

fenders be convicted within twelve months, the hundred is released, and actions are not to be brought against hundreds under one, or after two years. *Ibid.*

## Cumberland.

By 43 *Eliz. c. 13.* carrying away or detaining any person against his will, assenting or aiding therein, or receiving, or giving of black mail in *Cumberland, Northumberland, and Durham*, for protection against burning stacks of corn, shall be felony *without* benefit of clergy; and persons harbouring or relieving such offenders, are liable to six months imprisonment, and to find sureties for their good behaviour.

By 18 *Car. 2. c. 3.* clergy is taken away from notorious thieves and spoil-takers in *Cumberland and Northumberland*, or otherwise, the judges may cause them to be transported.

## Customs.

By 6 *Geo. 1. c. 21.* eight or more hindering officers of the customs in execution of their office, shall be transported; and returning before the expiration of the term, is felony *without* benefit of clergy.

By 8 *Geo. 1. c. 18.* persons passing with foreign goods, landed without entry, and being more than five, and resisting officers of the customs, shall be transported; and returning within the term, is felony, *without* benefit of clergy.

By 9 *Geo. 2. c. 35.* and 18 *Geo. 2. c. 20.* persons liable to be transported for offences against the customs, committing the like, after claiming the benefit of these acts for indemnifying, are guilty of felony *without* benefit of clergy.

Three or more persons assembling armed, to assist in running goods, shall be transported; and returning within the term, felony *without* benefit of clergy. 9 *Geo. 2. c. 35.*

Two or more persons found passing together, within five miles from a navigable river, or the sea coasts, with horse or carriage, laden with more than six pounds of tea, or five gallons of brandy, the duties unpaid, and bearing offensive arms, are to be deemed runners of foreign goods, and be transported; if they return within the term, it is felony *without* benefit of clergy. *Ibid.*

Any person or persons forcibly obstructing any officer of the customs on board any ship or vessel, in execution of his office, to be transported; and returning within the term, felony *without* benefit of clergy. *Ibid.*

By 19 *Geo. 2. c. 34.* armed persons, to the number of three, assembled to assist in the illegal exporting or running of goods, or appearing in disguise with such goods, or resisting officers in execution of their duty, guilty of felony *without* benefit of clergy.

Any person concealing others who stand charged with such offence, after the time appointed for their surrender, shall be transported; and returning within the term, felony *without* benefit of clergy. *Ibid.*

*Deeds.*

By 21 *Jac.* 1. c. 26. acknowledging any deed inrolled, in the name of another not privy thereto,—felony *without* benefit of clergy.

*Egyptians.*

By 1 & 2 *Phil. & Mar.* c. 4. *Egyptians* coming into *England*, and remaining a month,—felons *without* benefit of clergy.

By 5 *Eliz.* c. 20. persons found in company with *Egyptians*, and so remaining the space of one month, are guilty of felony *without* benefit of clergy: *but this last sanguinary act is repealed by 23 Geo. 3. c. 54.*

*Fines.*

By 21 *Jac.* 1. c. 26. acknowledging any fine in another's name, not privy thereto,—felony *without* benefit of clergy.

*Fish.*

By 5 *Geo.* 3. c. 14. persons convicted within six months after the offence of stealing or destroying fish in fish ponds, shall be transported for seven years.

*Foreign States.*

By 3 *Jac.* 1. c. 4. any subject that shall go out of the realm to serve any foreign prince, not having before taken the oath of obedience, shall be a felon.

*Forgery.*

By 5 *Eliz.* c. 14. forgery of any deed, charter, or writings, sealed, court roll, or will, the second offence, felony *without* benefit of clergy.

By 39 *Eliz.* c. 17. any person wandering as a soldier or mariner, forging a testimonial of justice of peace,—felony *without* benefit of clergy.

By the several acts imposing stamp duties, the forging, or counterfeiting of any stamp, to defraud of the duties, is made felony *without* benefit of clergy.

All the loan bills in like manner make it felony *without* benefit of clergy, to forge exchequer bills.

By 8 & 9 *Will.* 3. c. 20. 11 *Geo.* 1. c. 9. and 15 *Geo.* 2. c. 13. it is made felony *without* benefit of clergy, to forge the common seal of the bank, or any bank-note, or to alter or raze any indorsement thereon.

By 9 *Ann.* c. 11. and 5 *Geo.* 1. c. 2. the forging any mark or stamp upon leather, hides, or the like, to defraud of the duties, is felony *without* benefit of clergy.



By 9 *Ann. c. 21.* forging the common seal of the *South-sea* company, or any bond, obligation, receipts, warrants, or indorsements thereon, is made felony *without* benefit of clergy. Also 6 *Geo. 1. c. 4. & c. 11.* and 12 *Geo. 1. c. 32.*

By 10 *Ann. c. 19.* forging any mark or stamp upon linens or callicoes, to defraud of the duties; felony *without* clergy. *The same also* by 4 *Geo. 3. c. 37.*

By 12 *Ann. c. 2.* and 5 *Geo. 1. c. 3.* forging or counterfeiting lottery orders, or the hand of any person to such orders, or altering the number or principal sum; felony *without* clergy. Also 6 *Geo. 3. c. 30.* 8 *Geo. 3. c. 31.*

By 5 *Geo. 1. c. 14.* forging debentures, felony *without* clergy.

By 6 *Geo. 1. c. 18.* 31 *Geo. 2. c. 22.* and 4 *Geo. 3. c. 37.* forging the common seal, or any policy of the Royal Exchange, or *London* assurance companies; felony *without* clergy.

By 8 *Geo. 1. c. 22.* and 31 *Geo. 2. c. 22.* forging any letter of attorney, or authority to transfer stock, or receive dividends, or counterfeiting names, or personating of proprietors of shares; felony *without* clergy. *The same also* by 4 *Geo. 3. c. 25.*

By 9 *Geo. 1. c. 12.* and 9 *Geo. 2. c. 34.* forging any order, assignment thereof, or discharge to the exchequer, for the annuities due thereon, or personating the proprietor; felony *without* clergy.

By 12 *Geo. 1. c. 32.* forging the hand of the accountant general, the register, the clerk of the report office, or any cashier of the bank, to obtain any money belonging to the suitors in chancery, or forging any *East India* or *South-sea* bond; felony *without* clergy.

By 2 *Geo. 2. c. 25.* perpetuated by 9 *Geo. 2. c. 18.* forging any deed, will, bond, bill of exchange, promissory note for payment of money, indorsement, or acquittance; felony *without* clergy.

By 4 *Geo. 2. c. 18.* forging any *Mediterranean* passes; felony *without* clergy.

By 7 *Geo. 2. c. 22.* forging or altering any acceptance of bills of exchange, or the number or sum of any accountable receipt, or any warrant or order for payment of money, delivery of goods, or the like; felony *without* clergy.

By 8 *Geo. 2. c. 6.* forging any entry of bargainor's acknowledgement in bargain and sale, in the registry for the North Riding in the county of *York*, or any memorial, the second offence, felony *without* clergy.

By 26 *Geo. 2. c. 33.* forging any entry in the register relating to any marriage, or forging licence of marriage; felony *without* clergy.

By 31 *Geo. 2. c. 32.* forging the stamp used for marking plate, or being in possession of such forged stamp; felony *without* clergy.

By 32 *Geo. 2. c. 14.* forging the hand of the receiver of the prebends; felony *without* clergy.

By 9 *Geo. 3. c. 30.* forging seamen's tickets, to obtain wages, prize-money, or the like; felony *without* clergy.

By 13 *Geo. 3. c. 56.* forging the stamp or seal of the commissioners of excise, provided, renewed, or altered by this act, or counterfeiting

ing or resembling the impression thereof, on any goods chargeable by 10 *Ann. c. 19.* 12 *Ann. c. 9.* 3 *Geo. 1. c. 9.* or 6 *Geo. 1. c. 14.* to defraud the king; felony *without* clergy.

By 13 *Geo. 3. c. 59.* counterfeiting or altering the marks on gold or silver plate; transportation for seven years.

By 14 *Geo. 3. c. 72.* counterfeiting stamps or seals on printed cottons or linens, or selling such; felony *without* clergy.

By 18 *Geo. 3. c. 18.* forging the acceptance of a bill of exchange, or number or principal sum in any accountable receipt for note, bill, or other security for money, or warrant, or order for payment of money, in order to defraud any corporation, or uttering such; felony *without* clergy.

#### *Hawks.*

By 34 *Ed. 3. c. 22.* every person who finds an hawk, or falcon, shall bring the same to the sheriff, who shall make proclamation, and return it to the owner; and by 37 *Ed. 3. c. 19.* stealing any hawk and carrying the same away contrary thereto, shall be felony.

#### *Hops.*

By 6 *Geo. 2. c. 37.* made perpetual by 31 *Geo. 2. c. 42.* maliciously cutting hop-binds, growing on poles, in any plantation of hops; felony *without* clergy.

#### *Horses.*

By 37 *Hen. 8. c. 8.* 1 *Ed. 6. c. 12.* and 2 & 3 *Ed. 6. c. 33.* stealing any horse, gelding, mare, or foal; felony *without* clergy.

#### *Hunting.*

By 1 *Hen. 7. c. 7.* unlawful hunting in the night, with disguises, is felony.

#### *Judgments.*

By 21 *Jac. 1. c. 26.* acknowledging any judgment, recognizance statute, or recovery, in the name of any other person not privy thereto; felony *without* clergy.

#### *Lead, Pewter, Iron, and Copper.*

By 4 *Geo. 2. c. 32.* stealing any iron bars, or lead fixed to any houses, or fences belonging thereto; felony, and the offender may be transported for seven years.

By 21 *Geo. 3. c. 68.* all persons who shall steal, or remove with intent to steal, any copper, brass, bell metal, utensil, or fixture, being fixed to any dwelling-house, out-house, or in any garden, yard, orchard, or out-let, or any iron rails, shall be deemed guilty of felony, and may be transported for seven years; and all persons assisting

assisting in such stealing, or who shall buy such goods, knowing them to be stolen, shall be liable to the same punishments.

Every person who shall buy or receive any pewter pot, or other pewter, knowing the same to be stolen, shall, on conviction, be transported, as a felon, for seven years, or may be kept to hard labour, not more than three years, nor less than one, and within that time be publicly whipped. *Ibid.* c. 69.

## Lead Mines.

By 25 Geo. 2. c. 10. entering any mines of black lead, with intent to steal, shall be deemed felony, and the offender shall be transported. Returning before the time; felony *without* clergy, and a certificate of the former conviction shall be sufficient proof thereof.

The receivers of lead, knowing the same to be so unlawfully taken, shall be deemed guilty of felony. *Ibid.*

## Letters threatening.

By 27 Geo. 2. c. 15. persons convicted of sending letters, without any name, or with a fictitious name, threatening, or of rescuing persons in custody for such offences, are guilty of felony *without* clergy.

## Linen.

By 18 Geo. 2. c. 27. stealing any linen, fustian, callico, cotton, cloth, or cloth mixed with cotton or linen yarn, or any thread, linen or cotton yarn, tape, inkle, filleting, laces or any other linen, fustian, or cotton goods, laid to be printed or bleached in any bleaching ground, or aiding, or hiring another to commit such offence; felony *without* clergy: but the court may order such offenders to be transported for fourteen years; and if they break gaol or return, they are to suffer death.

By 4 Geo. 3. c. 37. breaking or entering by force into any place, with intent to steal, cut, or destroy, any linen belonging to any manufactory; felony *without* clergy.

## Maiming.

By 5 Hen. 4. c. 5. cutting the tongue, or putting out the eyes of people, of malice prepensed, shall be felony.

By 22 & 23 Car. 2. c. 1. unlawfully disabling the tongue, slitting the nose, or the like, of malice forethought, by lying in wait, and with intention to maim; felony *without* clergy.

## Marriage.

By 26 Geo. 2. c. 33. persons convicted of solemnizing matrimony in any other place than a church, or public chapel, or without banns or licence, unless by special licence, guilty of felony, and shall be transported for fourteen years.

*Marjots.*



*Marshes.*

By 22 *Hen. 8. c. 4.* breaking down or cutting up of dikes in marsh land in *Norfolk* and *Cambridge*; shall be felony.

By 11 *Geo. 2. c. 34.* 14 *Geo. 2. c. 24.* and 21 *Geo. 2. c. 18.* burning the engines for draining the fens in the isle of *Ely*, the second offence, shall be felony.

By 22 *Geo. 2. c. 19.* persons convicted of setting fire to, or destroying any of the works, for draining the fens in *Whittlesey*, in the isle of *Ely*, to be transported.

By 27 *Geo. 2. c. 19.* maliciously destroying or damaging any of the works for draining *Bedford Level*; felony *without* clergy.

*Money.*

By 17 *Ed. 3. stat. 1.* bringing false and ill money into the realm, and officers assenting thereto, or suffering silver money to be exported, shall be felony.

By 8 & 9 *Will. 3. c. 26.* blanching copper for sale, or mixing it with silver, or taking or paying any counterfeit milled money, shall be felony.

By 15 *Geo. 2. c. 28.* uttering false money knowingly, for the third offence shall be felony *without* clergy.

Uttering false money twice within ten days, or having other false money in his custody, being once convicted, the second offence shall be felony *without* clergy. *Ibid.*

*Murder.*

By 12 *Hen. 7. c. 7.* no lay person, purposely killing his master, shall be admitted to his clergy.

No person found guilty of petty treason, wilful murder, poisoning, or the like, shall have benefit of clergy. 23 *Hen. 8. c. 1.* 25 *Hen. 8. c. 3.* 28 *Hen. 8. c. 1.* 32 *Hen. 8. c. 3.* and 1 *Ed. 6. c. 12.*

By 1 *Jac. 1. c. 8.* and 16 *Car. 1. c. 4.* stabbing any person that hath not a weapon drawn, or that hath not first stricken, so that the person die thereof within six months; felony *without* clergy.

*Mute.*

Every person, who being arraigned of murder, robbery, or felony, shall stand mute, or will not answer directly, shall lose his clergy, as if he had been found guilty. 25 *Hen. 8. c. 3.* 1 *Ed. 6. c. 12.* 5 & 6 *Ed. 6. c. 10.* 4 & 5 *Ph. & M. c. 4.* 3 & 4 *W. & M. c. 9.* and 1 *Ann. stat. 2. c. 9.*

By 12 *Geo. 3. c. 20.* standing mute on arraignment for felony, or piracy, to be convicted, and have the same judgment and execution as if found guilty by verdict or confession, and to extend to *America*.

## *Mutiny.*

By 22 & 23 *Car. 2. c. 11.* any officer wilfully destroying the ship, or mariners laying violent hands on their commander, to hinder him from fighting in defence of his ship and the goods, shall be guilty of felony.

By 2 & 3 *Ann. c. 20.* any officer or soldier beyond, or upon the sea, raising any mutiny, or resisting his officer, is guilty of felony.

## *Outlawry.*

Persons outlawed for felony, without benefit of clergy, shall not have their clergy. 1 *Ed. 6. c. 12.* 4 & 5 *Pb. & M. c. 4.* 8 *Eliz. c. 4.* 18 *Eliz. c. 7.* 22 *Car. 2. c. 5.* and 3 & 4 *Will. 3. c. 9.*

## *Perjury.*

By 2 *Geo. 2. c. 25.* persons convicted of wilful perjury, breaking prison, or returning from transportation before the time, are guilty of felony *without* clergy.

## *Pick-pocket.*

By 8 *Eliz. c. 4.* taking from the person of another, privily without his knowledge, any money or goods; felony *without* clergy.

## *Piracy.*

Piracy shall be tried and punished as felony, *without* benefit of clergy. 11 & 12 *Will. 3. c. 7.* 4 *Geo. 1. c. 11.* 6 *Geo. 1. c. 19.* 8 *Geo. 1. c. 24.* and 18 *Geo. 2. c. 30.*

By 11 & 12 *Will. 3. c. 7.* commander or mariner who shall betray his trust or turn pirate, or person laying violent hands on commander, shall be adjudged a pirate and felon, and shall suffer death.

By 8 *Geo. 1. c. 24.* trading with pirates, furnishing them with stores, or corresponding with them, shall be adjudged piracy, and felony *without* clergy.

## *Plague.*

By 1 *Jac. 1. c. 31.* any person infected with the plague, and commanded to keep house, wilfully going abroad, is guilty of felony.

## *Popish Priests and Recusants.*

By 27 *Eliz. c. 2.* receiving or aiding any popish priest, or jesuit, shall be felony *without* clergy.

By 35 *Eliz. c. 1. & c. 2.* popish recusants refusing to abjure the realm, not departing within the time appointed, or returning without licence, is guilty of felony *without* benefit of clergy.

*Qu.* Whether these acts are affected in any, and what degree, by 18 Geo. 3. c. 60. (See title Papists.)

### *Prisons.*

By 1 Ed. 2. stat. 2. prison breaker shall not have judgment of life or member for breaking prison only, unless the cause for which he was imprisoned required such judgment, if he had been convicted.

By 14 Ed. 3. c. 10. the keeper of a prison causing any prisoner to become an appellor by duress; guilty of felony.

By 16 Geo. 2. c. 31. assisting any prisoner to escape, who was imprisoned for felony, except petty larceny, shall be felony, and may be transported for seven years.

By 18 Geo. 2. c. 27. and 25 Geo. 2. c. 10. person convicted of stealing, and sentenced to transportation, voluntarily breaking prison, guilty of felony *without* clergy.

### *Privy Councillors.*

By 3 Hen. 7. c. 14. any servant in the chequer roll of the king's households, conspiring to destroy the king, or any person sworn to his council, shall be judged guilty of felony.

By 9 Ann. c. 16. attempting to kill, or assaulting a privy councillor, in the execution of his office, shall be felony *without* clergy.

### *Process.*

By 9 Geo. 1. c. 28. persons in any disguise opposing the execution of legal process in the *Mint*, or any other pretended privileged place, are guilty of felony.

By 11 Geo. 1. c. 22. resisting officers in execution of legal process in *Wapping*, *Stepney*, or other place, shall be felony and transportation.

### *Quarantine.*

By 26 Geo. 2. c. 6. persons liable to quarantine refusing, or escaping before performance thereof, shall suffer death as felons.

Masters of vessels infected, not giving notice, nor waiting till orders arrive, such disobedience shall be adjudged felony *without* benefit of clergy. *Ibid.*

Master of vessel coming from an infected place, or having any person on board infected, and concealing the same, is guilty of felony *without* clergy. *Ibid.*

Sound persons entering a lazaret, must perform quarantine, and if they escape, it is felony *without* clergy. *Ibid.*

Superintendent of the quarantine acting contrary to his duty, or officer giving a false certificate; felony *without* clergy. *Ibid.*

Persons concealing or clandestinely conveying letters, goods, or the like, from any ship under quarantine, are guilty of felony *without* benefit of clergy.

*Rape.*



## Rape.

By 13 *Ed. 1. stat. 1. c. 34.* it shall be felony to commit a rape.  
 By 18 *Eliz. c. 7.* persons found guilty or outlawed for a felonious rape, shall have no benefit of clergy.  
 Knowing a woman child carnally, under the age of ten years; felony *without* clergy. *Ibid.*

## Rebels.

By 20 *Geo. 2. c. 46.* persons concerned in the rebellion of 1745, pardoned on condition of transportation, returning without licence, or voluntarily going into the dominions of the *French* or *Spanish* king, are guilty of felony *without* clergy.

Aiders of such persons in their unlawful returning, are guilty of felony *without* clergy; and persons holding correspondence with such rebels going into *France* or *Spain*, or persons employed by them, are likewise guilty of felony *without* clergy. *Ibid.*

## Record.

By 8 *Hen. 6. c. 12.* embezzling of a record, whereby any judgment shall be reversed, shall be judged felony.

## Rescue.

By 1 *Hen. 7. c. 7.* rescuing offenders in hunting in parks in the night or disguised, shall be felony.

By 6 *Geo. 1. c. 23.* rescuing felons delivered to contractors for transportation;—felony *without* clergy.

By 25 *Geo. 2. c. 37.* rescuing one committed for, or found guilty of murder, or in going to, or during execution;—felony *without* clergy.

Rescuing the body of a murderer after execution, is felony and transportation for seven years. and returning within the term subject to punishment of unlawful returning from transportation. *Ibid.*

## Riots.

By 1 *Geo. 1. stat. 2. c. 5.* twelve persons or more assembled unlawfully, not dispersing in an hour after commanded by one justice of peace, shall be adjudged felons *without* clergy.

Persons riotously pulling down any church, building for religious worship, dwelling-house, or outhouse, shall be adjudged felons *without* clergy. *Ibid.*

Persons obstructing the making the proclamation shall be adjudged felons *without* clergy.

## Robbery.

## Robbery.

Robbing churches or chapels, robbing persons in their dwelling-houses, or in or near the highways; felony *without* benefit of clergy. 23 Hen. 8. c. 1. 25 Hen. 8. c. 3. 1 Ed. 6. c. 12. 5 & 6 Ed. 6. c. 9. and c. 10.

By 5 & 6 Ed. 6. c. 9. robbing any person in a booth or tent, in any fair or market, felony *without* benefit of clergy.

By 39 Eliz. c. 15. robbery in any dwelling-house or outhouse in the day time, to the value of five shillings, although no person be therein at the time;—felony *without* clergy.

By 3 & 4 Will. & Mar. c. 9. and 6 & 7 Will. 3. c. 14. robbing any dwelling-house, shop, or warehouse, to the value of 5 s.—felony *without* benefit of clergy.

Persons stealing furniture, let with any lodging, shall be adjudged guilty of larceny and felony. 3 & 4 Will. & Mar. c. 9.

By 10 & 11 Will. 3. c. 23. robbing any shop, warehouse, coach-house or stable, to the value of five shillings;—felony *without* clergy.

By 12 Ann. stat. 1. c. 7. stealing to the value of 40 s. in any dwelling-house or outhouse, though the same be not broken;—felony *without* clergy: but this does not extend to apprentices under fifteen years of age.

By 2 Geo. 2. c. 25. and 31 Geo. 2. c. 22. stealing or taking by robbery any exchequer orders, tallies, or other orders intitling any other person to any annuity or share in any parliamentary fund, or any exchequer bills, bank notes, South Sea bonds, East India bonds, dividend warrants of the bank, South Sea company, East India company, or any other company, society or corporation, bills of exchange, navy bills or debentures, Goldsmith's notes, other bonds, warrants, promissory notes, being the property of any other person or corporation, notwithstanding the same may be deemed a *chose* in action, shall be deemed felony *without* benefit of clergy, in the same manner as if the robbery had been of goods of like value.

By 7 Geo. 2. c. 21. persons convicted of assaulting others with offensive weapons, with intent to rob, shall be adjudged guilty of felony, and transported for seven years. Returning before the term is felony *without* clergy.

By 24 Geo. 2. c. 45. stealing goods to the value of 40 s. on board any vessel in any navigable river, or upon any wharf or quay adjacent, is felony *without* clergy.

## Rogues.

By 17 Geo. 2. c. 5. incorrigible rogues breaking or escaping out of the house of correction, where they were ordered to be detained, or offending again, are guilty of felony, and may be transported not exceeding seven years.

## Sea and Seamen.

By 28 Hen. 8. c. 15. for treasons, robberies, felonies, murders, and confederacies done upon the sea, the offenders shall not have benefit of clergy.

By 5 Eliz. c. 5. mariners taking prest or wages to serve the queen's majesty, and departing without licence, are guilty of felony.

By 31 Geo. 2. c. 10. and 9 Geo. 3. c. 30. personating an officer or seaman supposed to have wages due to him, or his executor, or forging letters of attorney, tickets or wills, or making false oath to obtain probate, wages or the like, belonging to such person, shall be felony *without* clergy.

## Servants.

By 33 Hen. 6. c. 1. servants riotously despoiling their master's goods after his death, and not appearing on proclamation, shall be attainted of felony.

By 21 Hen. 8. c. 7. made perpetual by 5 Eliz. c. 10. servant withdrawing himself with money or goods delivered to him to keep by his master, to the value of 40*s.* or above, shall be adjudged guilty of felony. But by 12 Ann. stat. 1. c. 7. this act is not to extend to any apprentice, or one within eighteen years of age.

By 12 Geo. 1. c. 34. assaulting a master woolcomber, or master weaver concerned in the woollen manufactures, for not submitting to illegal bye-laws;—felony and transportation for seven years.

By 24 Geo. 2. c. 11. officer or servant of the *South-sea* company, embezzling any security, money, or effects of the company intrusted with him, guilty of felony *without* clergy.

## Sheep.

By 8 Eliz. c. 3. conveying any sheep alive out of the realm, the second offence shall be adjudged felony.

By 14 Geo. 2. c. 6. and 15 Geo. 2. c. 34. stealing one or more sheep, or any bull, cow, ox, steer, bullock, heifer, calf or lamb, or killing one or more sheep, or other such cattle, with a felonious intent to steal the carcase, or any part thereof;—felony *without* clergy.

## Ships.

By 1 Ann. stat. 2. c. 9. captain, master, or other person wilfully casting away, burning or destroying any ship to the prejudice of the owners, guilty of felony. Such offences committed on the high seas may be tried in any county, and the person convicted shall suffer death *without* benefit of clergy.

By 4 Geo. 1. c. 12. and 11 Geo. 1. c. 29. owner, captain or other officer wilfully destroying any ship to the prejudice of the insurers, shall be guilty of felony *without* clergy.

*Soldiers.*



## Soldiers.

By 18 Hen. 6. c. 19. 7 Hen. 7. c. 1. 2 & 3 Ed. 6. c. 2. and 4 & 5 Phil. & Mar. c. 3. a soldier retained to serve the king in his wars, leaving his captain without licence, shall be adjudged guilty of felony.

By 39 Eliz. c. 17. soldiers and mariners, wandering without a testimonial, or counterfeiting one are guilty of felony *without* clergy.

Such offenders may be placed by the sessions in the service of a freeholder, for a year, and departing within the year, shall be felony *without* clergy. *Ibid.*

By 9 Geo. 2. c. 30. enlisting or procuring any of his majesty's subjects to enlist, as a soldier in foreign service, without licence of his majesty, felony *without* clergy; such offences may be tried in any county in England. But persons inveigled so to list themselves, making a discovery in fourteen days to a justice, are indemnified.

By 29 Geo. 2. c. 37. subjects of the crown of Great Britain accepting commissions; being officers or soldiers in the service of the French king, or remaining therein, without leave from his majesty, or contracting to enlist; felony *without* clergy.

## Spirits.

By 11 Geo. 2. c. 26. and 24 Geo. 2. c. 40. rescuing offenders against the acts concerning spirituous liquors, or assaulting informers against such offenders, is felony and transportation for seven years.

## Stolen Goods.

By 4 Geo. 1. c. 11. and 6 Geo. 1. c. 23. persons taking rewards for helping to stolen goods, unless they cause the felon to be brought to trial, and give evidence against him, shall be deemed guilty of such felony.

By 18 Geo. 2. c. 27. buyers or receivers of linen, fustian, or cotton stolen from a bleaching croft, are guilty of felony *without* benefit of clergy.

## Stores.

By 31 Eliz. c. 4. embezzling stores provided for soldiers mariners and the like persons to the value of 20s. shall be felony, *without* benefit of clergy, 22 Car. 2. c. 5. and 1 Geo. 1. stat. 2. c. 25.

By 12 Geo. 3. c. 24. burning the king's ships built or building, dock-yards, magazines, materials; navy or victualling stores, or aiding therein, shall be felony *without* clergy, and offending out of the realm the trial may be in any county within the same.

## Transportation.

## Transportation.

By 4 Geo. 1. c. 11. 6 Geo. 1. c. 23. and 16 Geo. 2. c. 15. persons convicted of offences within the benefit of clergy, except receivers and buyers of stolen goods, shall be sent to the plantations for seven years, the court before whom convicted to contract for their transportation. Persons convicted of offences for which they are excluded the benefit of clergy, and also receivers and buyers of stolen goods may be transported for fourteen years, and the persons contracting for their transportation shall have property in their service.

Returning before the expiration of the term is felony *without* benefit of clergy: service of the term, shall have the effect of a pardon. *Ibid.* and also 18 Geo. 2. c. 27. and 25 Geo. 2. c. 10.

The 4 Geo. 1. c. 11. does not extend to *Scotland*, but to all the king's dominions in *America*.

By 8 Geo. 3. c. 15. where an offender is convicted of a crime subject to death, and pardoned on condition of transportation, the judge on certificate thereof from the secretary of state, may order the same, and such offender may be transported for the term ordered, and if at large within the time, it is felony *without* benefit of clergy, and the prosecutor is entitled to 20*l.* reward and a certificate. See the general title Transportation.

## Trees.

By 6 Geo. 3. c. 36. lopping, topping, cutting down, barking, burning, or spoiling, or carrying away in the night any oak, beech, ash, elm, fir, chestnut, or asp, or other timber tree, or digging up any roots, shrubs, or plants of 5*s.* value, in inclosed ground;—transportation for seven years; and aiders and receivers are liable to the same penalty.

## Turnpikes and Locks.

By 8 Geo. 2. c. 20. made perpetual by 27 Geo. 2. c. 16. maliciously destroying locks, sluices or floodgates, erected by authority of parliament, or rescuing persons in custody for such offences, is felony *without* benefit of clergy.

By 13 Geo. 3. c. 84. the malicious destroying of any turnpike gates, houses, or weighing engines, or rescuing persons in custody for such offences, is felony and transportation for seven years.

## Watermen.

By 10 Geo. 2. c. 31. where a greater number of passengers is taken into any boat, than respectively allowed by act of parliament, in case any be drowned, the waterman shall be deemed guilty of felony and transported.

*Women.*

By 3 *Hen. 7. c. 2.* unlawfully carrying away a woman against her will, that hath lands or goods, or is heir apparent, shall be felony; and by 39 *Eliz. c. 9.* *without* benefit of clergy.

*Wool.*

By 4 *Geo. 1. c. 11.* persons imprisoned for exporting wool, refusing to plead, and not paying the sum recovered on judgment by default, and transported for the same, returning, shall suffer as felons *without* benefit of clergy.

By 12 *Geo. 2. c. 21.* persons opposing officers of the customs, in seizing wool or woolfells, shall be transported as felons, not exceeding seven years, and returning before the expiration of time, is felony *without* clergy.

*Wreck.*

By 12 *Ann. stat. 2. c. 18.* making or assisting in making any hole in any vessel in distress, or in stealing the pump, or wilfully doing any thing, tending to the immediate loss of such vessel, is felony *without* clergy.

By 26 *Geo. 2. c. 19.* persons convicted of plundering shipwrecked goods, or of obstructing the escape of any person from a wreck or of putting out false lights, with intention to injure, are guilty of felony *without* clergy.

Where goods of small value shall be stolen, without any circumstances of cruelty, the offender may be indicted for *petty larceny. Ibid.*

On oath before a magistrate of the plunder, theft, or breaking a ship, the clerk of the peace shall prosecute the offenders; and persons convicted of assaulting any magistrate, or any officer, in the salvage of any vessel or goods, shall be transported for seven years. *Ibid.*

*See the Index for other Felonies, not noticed here.*

## Fines.

By 18 *Ed. 1. stat. 4.* the form of a final concord pleaded, cannot be levied without an original, must be before four justices in the bench, or in eyre, and not elsewhere, which being done in the presence of the parties, who must be of full age, of good memory, out of prison, and examined if feme covert, bars all others who claim not within a year and a day.

By 27 *Ed. 1. stat. 1. c. 1.* exception to a fine that the demandant was always seized, shall not be admitted contrary to such fine, and fines shall be openly read, and then all pleas shall cease.

By 34 *Ed. 3. c. 16.* the plea of non-claim of fines shall be no plea hereafter.

By



By 2 Hen. 4. c. 8. the fees for making a chirograph shall be 4*s*.

By 5 Hen. 4. c. 14. all writs of covenant and the like, whereon fines are levied, writs of *dedimus potestatem*, and notes of the same shall be inrolled.

By 1 Ric. 3. c. 7. and 4 Hen. 7. c. 24. fines, after engrossing, shall be proclaimed four times, the three next terms, all pleas ceasing, and a transcript shall be sent to the justices of assize, and justices of peace, in the county where the land is, to proclaim and certify the same, which shall conclude as well privies as strangers, excepting coverture, infancy, imprisonment, or out of the realm, or insane.

The immediate right of strangers, and the right of strangers in reversion is saved, so that they pursue the same within five years. *Ibid.*

Fines at common law shall remain of the same force as before, and any person may levy a fine according to the statute, or the common law, at his election. *Ibid.*

But 4 Hen. 7. c. 24. saves to every person, not party nor privy to the fine, his exception, that those, who were parties, had nothing in the lands.

By 32 Hen. 8. c. 36. fine levied with proclamations according to 4 Hen. 7. c. 24. by tenant in tail, shall be a bar to him and the heirs of his body, and all claiming to his use or under him.

Fine levied by the wife, of the inheritance of her late husband, shall not be made good by this act. *Ibid.*

Fine levied, by one who is restrained from alienation, by any act of parliament, excepted out of this act. *Ibid.*

Fines of lands granted by the king, and whereof the reversion is in him, are likewise excepted. *Ibid.*

By 1 Mar. stat. 2. c. 7. Fines levied, without making the proclamation, by reason of adjournments of the term, shall be of the same effect as with.

By 23 Eliz. c. 3. inrollment of fines and recoveries, writ of covenant, return and the like, may be made on request, and be of like force.

No fine, proclamation, or common recovery, shall be reversed for false *Latin*, or other want of form in words. *Ibid.*

The day and year of conuance of a fine, or warrant of attorney, for suffering a recovery or the like, shall be certified. No entry shall be made of attornment without an appearance on writ of *quid juris clamat*. *Ibid.*

There shall be an office for inrollment of fines and recoveries, under the care of the justices of the common pleas (except the chief justice) who shall take for the inrollment 6*s*. 8*d*. exemption 5*s*. for every search 4*d*. per term, &c. *Ibid.*

The chirographer shall make a table of the contents of every fine to be set up in the common pleas, and at every assizes; on pain of 5*l*. *Ibid.*

The records shall not be carried out of the office other than for examination by the justices. *Ibid.*

By 31 *Eliz. c. 2.* a fine levied in the common pleas shall be proclaimed only four times, once in the term wherein it is engrossed, and once in each of the three terms following.

By 4 *Ann. c. 16.* declarations of the uses of a fine or recovery may be made by deed, made after levying or suffering the same.

No claim or entry shall be of force, to avoid a fine levied with proclamations, unless action be commenced in one year after such entry and prosecuted with effect. *Ibid.*

By 32 *Geo. 2. c. 14.* the post fine shall be indorsed on the back of the writ, by the officer who is to set the prefine, together with his name; both fines to be paid together to the receiver of the prefiner at the alienation office: and no fine is effectual till marked with the post fine.

## Fireworks.

By 9 & 10 *Will. 3. c. 7.* no person whatsoever shall make or sell squibs, rockets, serpents or other fireworks, or any cases or moulds for making the same; nor shall any one fire the same from any place into the street or highway.

Persons making or selling the same are to forfeit 5*l.* persons throwing or firing them, or suffering them to be thrown, or fired from their houses 20*s.* and if the offender doth not pay the forfeiture, he is to be sent to the house of correction for one month. *Ibid.*

But officers of the ordnance, may order the making of fireworks; and the artillery company of *London* may use them in the exercise of arms as before the making this act. *Ibid.*

## First-fruits and Tenths.

By 26 *Hen. 8. c. 3.* the first fruits and profits for one year of all spiritual dignities shall be paid to the king; and every spiritual person shall be bound for the same before his actual possession,

Whosoever enters upon his spiritual living, before composition for the first fruits, shall be deemed an intruder, and forfeit double the value. *Ibid.*

A yearly tenth of all spiritual livings shall be paid to the king. The bishops are charged for the collection of tenths in their dioceses. But no first fruits shall be paid for a benefice not above the yearly value of eight marks. *Ibid.*

By 27 *Hen. 8. c. 8.* no spiritual persons shall pay any tenth the same year they pay their first fruits.

The successor of an incumbent, whose tenth has been left unpaid, may distrain the goods and chattels of his predecessor upon the premises. *Ibid.*

By 32 *Hen. 8. c. 22.* the bishops may shew cause why they could not collect the tenths, and be discharged. (*excepting the bishop of Norwich c. 47.*)

By 34 & 35 Hen. 8. c. 17. the bishopricks of *Chester, Gloucester, Peterborough, Bristol, and Oxford* shall pay their tenths in the court of first fruits.

By 2 & 3 Ed. 6. c. 20. the penalty for default of payment of tenths, shall be the forfeiture of that benefice only, out of which the same is due.

By 7 Ed. 6. c. 4. the bishops shall pay over the tenths yearly, at or before the last day of *May*, and shall return a certificate of benefices that remain void.

By 1 Eliz. c. 4. first fruits and tenths shall be within the survey of the court of exchequer.

Vicarages not exceeding 10*l. per ann.* and parsonages ten marks shall pay no first fruits. The executors of an incumbent dying in half a year after the avoidance, shall be chargeable with only the fourth part of the first fruits, in one year, half, in one year and an half, three parts, and in two years the whole first fruits. *Ibid.*

Grants of discharge of first fruits and tenths to the universities or deanery of *Windsor*, the colleges therein, and to the colleges of *Eton* and *Winchester*, shall remain in force. *Ibid.*

The archdeaconry of *Wells* shall be charged with first fruits and tenths. Benefices which were within the order of the duchy court shall so continue; but this act shall not charge any hospital or school. *Ibid.*

By 2 Ann. c. 11. the queen by letters patent may incorporate persons, enable them to purchase lands, and settle upon them the first fruits and tenths, for the augmentation of the maintenance of the poor clergy.

One bond only shall be taken for the four payments of the first fruits. *Ibid.*

By 5 Ann. c. 24. and 6 Ann. c. 27. benefices under 50*l.* a year shall be discharged from first fruits and tenths; and bishops shall certify the clear yearly value of small benefices within their dioceses; but this shall not discharge pensions, first fruits and tenths already granted.

First fruits or tenths, applied to augment the maintenance of any minister, shall continue for ever. *Ibid.*

By 6 Ann. c. 27. archbishops and bishops are allowed four years to pay their first fruits, and in case of death, before the four years expired, their executors shall be discharged of so much as did not become due before the time of their death.

Deans, archdeacons and other dignitaries shall compound for first fruits, in the same manner as rectors, vicars, and the like persons. *Ibid.*

By 1 Geo. 1. c. 10. the bishops shall inform themselves of the yearly value of every benefice, and certify the same to the governors of queen *Ann's* bounty, and their certificates returned into the exchequer shall ascertain the value of livings not above 50*l. per ann.*

All rules agreed on by the governors, and approved of by the king shall be valid. *Ibid.*



All augmented churches shall be perpetual benefices, and the ministers shall be bodies politic, and shall be enabled to take in perpetuity lands granted by the governors. *Ibid.*

Impropriators of augmented churches, and the rectors of the mother churches, are excluded from the benefit of such augmentation, and shall make the usual allowances to the ministers officiating: But no rectors of mother churches shall be discharged from cure of souls. *Ibid.*

Augmented cures remaining void six months, shall lapse to the bishop. If persons suffer a lapse, but nominate before advantage taken, such nomination shall be good. All agreements with benefactors touching the patronage of augmented cures, shall be good in law; and the advowson shall be veited in such benefactors. *Ibid.*

Agreements of guardians shall be binding, and those of a parson shall be with consent of his patron; feme coverts with their husbands; and such agreements shall be effectual for supplying vacant cures, the estate settled for augmentation may be exchanged, augmented donatives shall be visited by the bishop, and they shall not be augmented without the patron's consent. *Ibid.*

The governors may agree with the patron of any donative, for an allowance to the minister of such augmented donative, and such agreements shall be effectual; and if such impropiator (except the king) will not agree, the governors may refuse such augmentation. *Ibid.*

The governors may administer oaths, augmentations shall be entered, and the entries be taken as records: and lands allotted to any church, by deed under the governor's seal, shall go in succession, such deed being inrolled in six months. *Ibid.*

By 3 *Geo. 1. c. 10.* the bishops shall be exempted from collecting the tenths, and a collector shall be appointed by the king, who shall give security, is empowered to receive the said revenue, give acquittances, and the like and shall keep his office in *London* or *Westminster*, give notice of time and place of payment, and pass his accounts.

## Fifth and Fishery.

By 13 *Ed. 1. c. 47.* the waters of *Humber, Ouse, Trent, Don, Arre, Derwent, Wharfe, Nid, Yore, Swale, Teese, Tine*, and all others where salmon are taken, shall be in defence from *Lady-day* to *Martinmas*, young salmon shall not be taken by unlawful nets, nor at mill pools, from the midst of *April* to *St. John the Baptist*, the first trespass shall be punished by burning the nets, &c. the second a quarter of a year's imprisonment, and the third a year's imprisonment.

By 31 *Ed. 3. stat. 2. c. 1.* No herring shall be bought or sold in the sea, till the fishers come into haven, and the ship's cable be drawn to land.

The fishers shall be free to sell their herring, &c. at the fair of *Great Yarmouth*; there shall be no forestalling; the barons of the *Cinque Ports* shall govern the fair there; the hundred of herrings shall be six score, the last ten thousand. *Ibid.* c. 2.

The chancellor and treasurer may make orders for the buying and selling of stock-fish of *St. Botolph*, and salmon of *Berwick*. *Ibid.* c. 3.

By 31 *Ed.* 3. stat. 3. c. 1. doggers and load ships of *Blackney* haven shall discharge their fish there.

The price of dogger fish and the like shall be assessed at the beginning of *Blackney* fair; fish shall not be kept secret to be sold by retail; none shall buy fishing hooks or the like in *Norfolk*, but owners, masters, and mariners of fishing ships: and herrings shall be sold free, and to the first comer. *Ibid.* c. 2. and 35 *Ed.* 3.

By 6 *Ric.* 2. c. 10. alien friends may bring in fish, and sell the same by *gross* or *retail*, and by 14 *Hen.* 6. c. 6. if disturbed, the penalty is 10*l.*

By 13 *Ric.* 2. c. 19. young salmon shall not be taken from the middle of *April* till the 24th of *June*, nor shall any nets be used to destroy or take the fry or breed of any fish. And the *Lone*, *Wyre*, *Mersee*, *Ribble*, and waters in *Lancashire* shall be in defence as to salmon from *Michaelmas* to the Purification: on the pains in 13 *Ed.* 1. c. 47.

By 17 *Ric.* 2. c. 9. the justices of the peace in the country shall be conservators of these acts.

By 22 *Ed.* 4. c. 2. salmon shall be well packed, and the vessel contain, if a but 84 gallons, and so in proportion; on pain of 6*s.* 8*d.*

The barrel of herrings shall be 32 gallons, on pain of 3*s.* 4*d.* the barrel of eels 42 gallons, on pain of 20*s.* and if mixed 10*s.* *Ibid.*

Chief officers of cities and boroughs, shall appoint searchers to search and gauge fish vessels, who are by 11 *Hen.* 7. c. 23. to be paid certain fees for so doing.

By 31 *Hen.* 8. c. 2. fishing in any pond, moat, or stew, in the day time, without the owner's consent, shall suffer three months imprisonment.

By 2 & 3 *Ed.* 6. c. 6. the admiral or admiralty shall not exact any fees from fishermen for the voyage to *Iceland*, *Newfoundland*, or elsewhere; on pain of treble damages.

By 1 *Eliz.* c. 17. persons using any net or engine to destroy the fry of fish, or taking salmon or trouts out of season, or salmon shorter than sixteen inches, trout eight, pike ten, barbel twelve; shall forfeit 20*s.* the fish and nets.

None shall fish with any net in any river, but only where the mesh shall be two inches and an half broad, angling excepted; on the like pain; but smelts, loaches, minnows, bull-heads, gudgeons, or eels may be taken in the usual nets, lepes, or other engines, so that no other fish be taken. *Ibid.*

The admiral, mayor of *London*, and other conservators may determine offences, stewards of leets are to charge the jury to enquire of offences under this act; on pain of 40s. and if they conceal any, the penalty is 20s. each. *Ibid.*

By 5 *Eliz. c. 5.* no price shall be set, or toll taken of sea fish imported if caught by *English* subjects; but the town of *Kingston* upon *Hull* may take 2s. 4d. for every last of herrings from non freemen.

No purveyor shall take any sea-fish of any that shall take the same in any subjects ships, except composition fish from subjects going to *Iceland*, and regal fishes. *Ibid.*

No herrings shall be brought forth of a stranger's bottom, which are not salted, packed, and sufficiently casked; unless from a wreck. No fish or wares may be carried from one port in this realm to another in a stranger's ship; nor shall any cod or ling be brought into this realm, loose, and not in barrels. *Ibid.*

By 39 *Eliz. c. 10.* subjects may export fish in ships with cross sails. Aliens importing salted fish shall pay such customs as are imposed on subjects abroad, besides the ordinary customs; and importing and offering to sell unwholesome fish, shall forfeit the same.

By 1 *Jac. 1. c. 23.* fishermen in the counties of *Somerset*, *Devon* and *Cornwall*, may enter on the grounds of others, to direct the fishers, and draw fish on shore, and on action brought for the same, may plead the general issue, and recover.

By 3 *Jac. 1. c. 12.* erecting any new wear along the sea-shore, or within five miles of any haven, or destroying the fry of fish, is a penalty of 10*l.* and fishing with a drag-net, under three inches mesh, shall forfeit the same, and 10*s.* a time: but this not to extend to nets of less mesh for taking herrings, pilchards and sprats only.

By 13 & 14 *Car. 2. c. 28.* from the first of *June* to the last of *November*, no person shall fish on the coast of *Devon* and *Cornwall*, with drift nets, unless at one league and an half from the shore, on forfeiture thereof, and one month's imprisonment.

Exporting pilchards in casks, unless bought of the adventurers in fishing, shall forfeit the same. Any partner purloining or taking away any pilchard fish without leave, shall pay treble value, and be sent to the house of correction for three months. And idle or suspicious persons flocking about any pilchard craft, not departing on warning, shall pay five shillings, or be set in the stocks for five hours. *Ibid.*

By 15 *Car. 2. c. 7.* no fresh herring, fresh cod, or haddock, coal fish, or gull fish shall be imported but in *English* ships, on forfeiture thereof.

Herrings shall be well packed, and able packers shall be appointed and sworn by the chief magistrates of towns, on pain of 100*l.* and no vessel shall go on a fishing voyage for *Iceland* and *Westmona*, until the 10th of *March*, on forfeiture of ship, &c. No toll shall be levied in *Newfoundland* for any fish of *English* catching, nor any net cast near any harbour in *Newfoundland*, to take the spawn of

*Poor*



*Poor John*, or the like, except for taking of bait only, on forfeiture. *Ibid.* c. 16.

None shall destroy any house or stage, or utensils of fishing, in *Newfoundland* or *Greenland*, on pain of double the value. *Ibid.*

By 18 *Car.* 2. c. 2. any person may seize ling, herring, cod, or pilchard, or salmon, eels, or the like, taken by aliens and imported.

By 32 *Car.* 2. c. 2. any person may import stock fish and live eels from *Ireland*.

By 10 & 11 *Will.* 3. c. 24. no fish, caught by foreigners, shall be imported in foreign vessels, except stock fish and live eels, on forfeiture thereof; but anchovies, sturgeon, or caviar, may be imported; and mackarel may be sold on *Sundays*.

All the king's subjects shall have free trade to *Newfoundland*, and no alien shall bait or fish there. None shall throw any annoyance into harbours, or destroy any stage there. *Ibid.* c. 25.

The first fishing ship entering the harbour in the fishing season, shall be admiral for that time, the second vice-admiral, and so on, and shall see the rules in this act executed. *Ibid.*

Persons possessed of several places, shall make his election which to abide in, and give his resolution to any after-comer, in forty-eight hours after demand; and in case of difference, admirals shall proportion the place.—*Ibid.*

No fisherman, or inhabitant of *Newfoundland*, shall possess any stage, until all fishing ships be provided, except they have built them themselves. *Ibid.*

*Bye boat keepers* shall not meddle with house or stage belonging to any fishing ships; they shall carry two fresh men in six, and the inhabitants shall employ them; the master of a fishing ship shall carry one fresh man in five, and make oath thereof, and have every fifth man a green man. *Ibid.*

Marks of boats, or trainfats, shall not be obliterated, without the owner's consent. Standing trees shall not be rinded, nor woods fired, necessary fewel excepted; sayns shall not be annoyed, nor nets, baits, or the like, stolen. *Ibid.*

Robberies, and capital crimes, in *Newfoundland*, may be tried in *England*. Admirals shall keep a journal, and deliver a copy thereof to the privy council; they shall determine differences between the fishers and inhabitants, with power to appeal to the king's officers. *Ibid.*

The inhabitants shall observe the Lord's-day, and not sell any liquors thereon. *Ibid.*

By 4 & 5 *Ann.* c. 21. the 4 & 5 *Will.* & *Mar.* c. 23. for preserving the salmon, and also 13 *Ed.* 1. c. 47. shall be put into execution in *Southampton* and *Wilts*, and no young salmon shall be destroyed by nets.

Overseers of this act shall be assigned by the justices, who shall enquire after offenders, who are to forfeit not more than  
5*l.*

5*l.* nor less than 20*s.* for the first offence, and double for every other.

No person, qualified or not, shall take salmon, until after the 11th of November, (except the owners of such fisheries, by 1 Geo. 1. stat. 2. c. 18.) *Ibid.*

Owners of meadow grounds shall let salmon got into the dykes, pass into the main rivers again. Owners of mills shall keep open one scuttle in the waste hatch, for the salmon to pass and re-pass, and not use nets. Eel pots shall have racks before them. No sea trouts shall be taken in the rivers. None shall keep nets, or the like, other than allowed by 4 Will. & Mar. c. 23. and this act shall only extend to Southampton and Wilts. *Ibid.*

By 1 Geo. 1. c. 18. no fish taken by foreigners, except protestants inhabiting in England, shall be imported, on forfeiture of 20*l.* by the master; but this shall not prevent the importing eels, stock fish, anchovies, sturgeon, lobsters, or turbot.

The meshes of nets shall be three inches and an half from knot to knot; nor shall any net be put behind another, on forfeiture thereof, and 20*l.* except for catching herrings, or the like. *Ibid.*

No unfizable fish shall be offered to sale, namely, bret and turbot, less than sixteen inches long, brill fourteen, codling twelve, plaice eight, and flounders seven, on forfeiture of the same, and 40*s.* *Ibid.*

Owners of fisheries in the counties of Southampton and Wilts, may take salmon from 11 November to 1 August; but not after 1 August till 12 November following. *Ibid.*

None shall destroy any fry of salmon, nor take any salmon in the Severn, Dee, Teame, Were, Tees, Ribble, Mersey, Dun, Air, Ouse, Swale, Calder, Wharfe, Eure, Derwent, and Trent between the last day of July and the 12th November, nor after, with unlawful nets, on pain of 5*l.* *Ibid.*

No salmon shall be sent from the said rivers to London, less than six pounds weight each, on forfeiture of the same, and 5*l.*

The 2 Geo. 2. c. 19. was made for regulating, well-ordering, and improving the oyster fishery in the river Medway, under the authority of the mayor and citizens of Rochester.

By 9 Geo. 2. c. 33. persons offending against 1 Geo. 1. c. 18. in importing fresh fish by foreigners, shall forfeit 100*l.*

No British ship trading to the Mediterranean, shall be intitled to exemption, by reason of a moiety of the loading being of fish, unless the same were taken and cured by his majesty's subjects only. *Ibid.*

No person shall kill lobsters on the coast of Scotland between 1 June and 1 September yearly, on pain of 5*l.* *Ibid.*

By 23 Geo. 2. c. 26. liberty is given to take salmon in the river Ribble, between 1 January and 15 September yearly.

By 29 Geo. 2. c. 23. all inhabitants of Great Britain may freely buy from fishermen, and cure white fish, in any of the seas or rivers in Scotland, or islands thereto belonging; and persons obstructing the

the fishery, or taking any gratuity for liberty of fishing, forfeit 100*l*.

Staves of herring barrels in *Scotland* to be half an inch thick throughout, on pain of seizure. *Ibid.* Not to extend to barrels used in the white herring fishery. 30 *Geo.* 2. c. 30.

Liberty is given to import foreign salt, and to take *British* salt, for curing fish in *Scotland* for exportation, duty free, customs on importation excepted. 29 *Geo.* 2. c. 23.

A duty of 1*s.* per barrel payable in *Scotland* on herrings entered for home consumption; and 3*s.* 4*d.* per barrel for herrings brought into *England*, and entered there for home consumption. *Ibid.*

And 2*s.* 4*d.* per barrel for salmon, cod, and other wet fish, cured with *Scotch* salt, and imported into *England* for home consumption; and for dry fish 1*s.* 2*d.* per cwt. *Ibid.*

Fish cured in *Scotland* may be brought into *England* for re-exportation, and allowed like bounty thereon, conforming to the regulations. *Ibid.*

Officers of the customs and salt duties, may seize all fish imported contrary to this act. *Ibid.*

By 30 *Geo.* 2. c. 30. such nets may be used in the white herring fishery as are best adapted thereto, so as the like quantity be carried on board each buss.

Persons employed in the white herring fisheries to have free use of all ports, shores, and the like, below high water-mark, and 100 yards above, on any waste grounds, for landing and drying nets; and persons obstructing such use, forfeit 100*l*. *Ibid.*

Not to exempt vessels employed in the fisheries from payment of lawful duties in piers or harbours artificially made. *Ibid.*

By 9 *Geo.* 3. c. 28. the inhabitants of *Guernsey* and *Jersey*, are allowed to export goods, the growth or produce of *Great Britain* (for the fishery) to *Newfoundland* and *America*, and to import from thence, except rum.

By 12 *Geo.* 3. c. 58. white herrings caught and cured on the coast of the *Isle of Man*, shall pay per barrel of thirty-two gallons, 3*s.* 4*d.* red herrings. 1*s.* 8*d.* to be paid as the duty on fish brought from *Scotland*.

Herrings may be exported from the *Isle of Man* to *British America*, and to have sufficient quantity of salt to cure herrings on bond; but to make no other use of it. *Ibid.*

By 13 *Geo.* 3. c. 72. cod fish, ling and hake, caught and cured in *Chaleur Bay*, gulf of *Saint Lawrence*, or the coast of *Labrador*, may be imported, subject to 10 & 11 *Will.* 3. c. 25. on oath first made that it was caught there, and to have part of the tail cut off, and if removed from shore before, forfeited, with double the value.

Masters of ships from *Newfoundland*, *North Seas*, *Iceland*, gulph of *Saint Lawrence*, or the coast of *Labrador*, to destroy all foul salt left, in the presence of an officer, on penalty of 20*l*. *Ibid.*

By 15 *Geo.* 3. c. 46. no salmon shall be taken in *Tweed* river between 10 *October* and 10 *January* yearly, on penalty of not more than 10*l*. nor less than 40*s.*

By



By 25 Geo. 3. c. 58. in force by 26 Geo. 3. c. 45. for five years from June 24, 1786, the bounty of 7 s. on the exportation of every fifty gallons of pilchards, was increased to 9 s. for all exported within that period. And all regulations, in 5 Geo. 1. c. 18. (*see title Salt*) to prevent the relanding of pilchards, shall be in force with respect to this act.

The bounty shall be paid for fish lost or spoiled, if proved on oath; and also if such ship was lost in the port of exportation; and such spoiled fish are to be destroyed. *Ibid.*

Collectors of the duties on salt in any of the ports, may grant licences to the owners of such vessels, as may be greater in proportion than three feet, and an half in length, to one in breadth, to prevent such vessels being forfeited, according to 24 Geo. 3. c. 47. (*excise and customs*) the said owners giving proper security, not to employ such vessels in any other business, but the pilchard fishery. *Ibid.*

By the said 26 Geo. 3. c. 45. an additional bounty of 2 s. was granted for every fifty gallons of pilchards exported; but such additional bounty is not to be paid for a larger quantity than 20,000 hogsheds in one year; but the said bounty on 20,000 hogsheds, where a larger quantity has been exported, shall be divided proportionally among the vessels.

The expences of this act are to be borne by the persons intitled to the bounty.

By 25 Geo. 3. c. 65. a bounty of 30 s. per ton is given to all decked vessels, except under twenty tons burthen, employed in the white herring fishery.

All decked vessels, which shall clear outwards, between 1 June and 1 October for the white herring fishery, and there continue for three months, or return within that time with a full cargo, shall be intitled to the bounty of 30 s. per ton. *Ibid.*

Cod, ling, and hake taken, may be cured and salted; but the tail shall be cut off at the port of landing, so that no bounty may be paid on exportation thereof. *Ibid.*

Owners of decked vessels may purchase at sea, fresh herrings, cod, ling, or hake, from *British* subjects, the particulars whereof shall be sworn to on landing. *Ibid.*

Vessels returning into port within three months without a full cargo, shall not be intitled to the bounty. *Ibid.*

Masters of vessels bound to the North seas or *Iceland*, may take salt for curing of fish without paying duty. Salt not used, shall be returned to the warehouse. Previous to every voyage, the proprietor of salt intended for curing fish, shall make oath of the quantity so lodged, and at the end thereof shall deliver a written account to the salt office, specifying the quantity of fish entered; and every person receiving salt as aforesaid, shall deliver an account of the quantity used in each voyage, on penalty of 100 l. *Ibid.*

On delivering out salt at sea, the master shall make oath of the quantity, before the officer at the port of his out-fit. *Ibid.*

No bounty shall be paid on exportation of cod, ling, or other fish, brought from the North seas. *Ibid.*

Not

Not accounting for salt taken out of the salt works, is a penalty of 20 s. per bushel; and persons selling or disposing of such salt, or buying or using the same, likewise forfeit 20 s. per bushel. *Ibid.*

Proprietors for salt found wanting at re-delivering thereof, or persons embezzling *British* salt, after carried from the pit, for curing fish, shall severally forfeit 20 s. per bushel. *Ibid.*

By 26 Geo. 3. c. 26. for ten years from *January 1, 1787*, bounties shall be paid to vessels fitted out for the *Newfoundland* fishery, from *Great Britain*, *Ireland*, or *Guernsey*, *Jersey*, or *Man*, qualified (agreeable to 10 & 11 Will. 3. c. 25.) in the manner following, viz.

The first 100 vessels which shall arrive before *July 15* yearly at *Newfoundland*, with a cargo of fish, containing ten thousand by tale, and which after landing the same between *Cape Ray* and *Cape de Grat*, shall make another trip, and return with a second cargo, if navigated by twelve men, shall have 40 l. by less than twelve, and not under seven men, 25 l. each; and such vessels navigated by twelve men upon shares, shall have 50 l. each; and under twelve, and not less than seven men, 35 l. each.

The second 100 vessels which shall so arrive, if navigated by twelve men, shall have 25 l. each; by less than twelve men, and not under seven men, 18 l. each; and such vessels navigated by twelve men upon shares, shall have 35 l. each; and under twelve, and not less than seven men, 21 l. each.

Certificates shall be produced to the collector of customs from the governor of *Newfoundland*, of the qualification of ships, and masters and mates shall make oath, that they made two trips, and that the fish were caught by the crew, whereupon the collectors of customs shall pay the bounties. *Ibid.*

The number of mariners belonging to each vessel shall be inserted in the certificate of qualification. Certificates given, and affidavits taken, within the district of *St. John's* in *Newfoundland*, must be transmitted to the governor before *September 15th* yearly, and in other parts before *September 30th*. *Ibid.*

Masters of vessels, previous to receiving the bounties, shall make oath relative to the number of their men returned. *Ibid.*

The employers may advance to green men, during the time of their service, 5 l. 10 s. though more than half their wages, reserving sufficient for their passage home, not more than 40 s. per man. *Ibid.*

Seamen absenting themselves from, or neglecting their employ, are to forfeit to their employers five days pay, as a recompence. *Ibid.*

The master shall be sworn before oil or blubber is admitted to entry duty free, that the same was taken on the *Newfoundland* coast by *British* ships. *Ibid.*

A similar oath is to be taken relative to seal skins. *Ibid.*

Bond shall be given for payment of the duty on the importation of salt, and such bonds shall be cancelled, on exportation thereof within twelve months. *Ibid.*

None shall use any sean or net for catching cod, whose mesh is less than four inches in dimension, on penalty of 100*l*.

If any *British* seaman shall desert, or agree to desert from *Newfoundland*, with intent to enter into the service of any foreign state, he may be committed for three months, and sent home: but if not from his majesty's *European* dominions, he may be imprisoned for twelve months. *Ibid.*

Fishermen at *Newfoundland* shall not sell or barter any vessel, utensils, or any baits, or part of the cargo, to or with any foreigner; offenders herein shall be committed, and shall forfeit treble the value of the articles sold, and may be dealt with as deserters. *Ibid.*

Such fishermen shall not purchase any goods of, or barter with, foreigners for the same, on pain of imprisonment, and forfeiture of treble the value of the goods; but this does not extend to the importation of bread, flour, corn, and live stock, under an act of this session. (*Plantations.*) *Ibid.*

No more than 40*s*. shall be paid for the passage of any person from *Newfoundland*, to be paid out of the forfeitures. *Ibid.*

Such payments, in case of a deficiency in the fund for that purpose, shall be made by the commissioners of the navy. *Ibid.*

Officers of his majesty's ships stationed at *Newfoundland* may detain suspected vessels, and search them; and if any contraband goods are found on board, such vessels and goods shall be forfeited. On suits in *Newfoundland*, on account of the seizure of vessels, if the claimants recover, and the judge certifies that there was probable cause for seizure, they shall have only nominal damages, and shall not have costs. *Ibid.*

Fines and forfeited goods are to be applied, half to the informer, and half to the governor, to defray the expences of sending persons home. *Ibid.*

By 26 *Geo.* 3. c. 41. for five years from *December* 25, 1786, *British* ships going on the *whale fishery*, must be visited by an officer of the customs, who shall certify the admeasurement to the commissioners. If such certificate proves the ship is fit for the voyage, and if oath is made of the intention to proceed forthwith there, and to import the whale fins, &c. into *Great Britain*, the commissioners, on security given, may license the ship.

Ships of 200 tons burthen, must have forty fishing lines, forty harpoon irons, four boats, with seven men, including an harpooner, a steersman, and a line manager, to each boat, making twenty-eight men, besides a master and surgeon, with six months provision; and larger ships are to have an increase of six men, one boat, ten lines, and ten harpoons, for every fifty tons more, with proportional provisions; and such ships must have one apprentice, and one green man for every thirty-five tons, to be reckoned with the above number of men. *Ibid.*

The officer of the customs, on return of the ship to *Great Britain*, shall make a report of her condition, and oath shall be made of her not having deviated from the conditions on which the certificate was granted,



granted, which documents shall be transmitted to the commissioners, who shall order a bounty of 30 s. per ton. *Ibid.*

No person shall be intitled to the bounty, unless the ship sails from the port of survey before *April 10*, yearly, and continues fishing till *August 10*, following, unless laden with thirty tons of oil, or blubber in proportion of three to two tons thereof, and one ton and an half of whale fins, if in ships of 300 tons; and so in proportion if of greater or less burthen; or unless forced by unavoidable accident to depart sooner, which shall be verified on oath, and transmitted with the other documents to the commissioners of the customs. *Ibid.*

If a ship ready for sailing by *April 10*, is by unavoidable necessity prevented from sailing till *April 25*, the bounty may be paid; and the bounties may be paid out of any monies in the hands of the receiver general. *Ibid.*

Ships of 150 tons burthen are intitled to the bounty; but no ship shall be intitled to a larger bounty than for 400 tons, and only for five years from *December 25*, 1786, and if not employed in the fishery before that day, not larger than for 300 tons. *Ibid.*

Ships of more than 400 tons, or 300 tons, need not be fitted out but as of those burthens to intitle them to the bounty; and no bounty shall be allowed to any ship, where a log-book has not been properly kept; which shall be delivered to the collector of the customs, before whom the contents shall be verified on oath. *Ibid.*

If a ship of war is met at sea, the log-book must be produced to the captain, who must make therein a memorandum of the production, and it must likewise be produced to the *British* consul at any foreign port. *Ibid.*

Ships fitted out from *Ireland*, agreeable to the regulations of this act, shall be intitled to the bounty. *Ibid.*

The owners may insure the bounty in case of the loss of the ship. Whale fins may be imported in *British* ships, duty free; but not unless oath is made that the cargo was caught by the crews of such ships. Persons granting or using false certificates, forfeit 500l. *Ibid.*

No harpooner, line manager, or steerer, shall be impressed, but may when unemployed therein, sail in the colliery trade, on giving security to return the next season; and common seamen shall in like manner be protected till the end of the season after entry. *Ibid.*

The *Greenland* seas, and *Davis's Straights* shall be deemed to extend to the latitude of 59°. 30". North, and no farther. *Ibid.*

The commissioners of the customs shall lay before parliament, annually, the amount of the number of ships employed. *Ibid.*

By 26 Geo. 3. c. 50. premiums were granted for ten years to twenty ships fitted out for the Southern whale fishery from *Great Britain*, *Ireland*, *Jersey*, *Guernsey*, or *Man*.

For fifteen ships fitted out between 1st *May* and 1st *September*, yearly, which shall sail to the Southward of 7° North latitude, and there fish, and which shall return by 1st *July* in the subsequent year, there shall be paid as follows, to each of the three ships which shall first arrive, with not less than twenty tons of oil, or head matter  
500l.

500*l.* to the next three ships 400*l.* to the next three ships 300*l.* to the next three ships 200*l.* and to the next three ships 100*l.* *Ibid.*

And for the five other ships which shall be fitted out, and sail by the aforesaid time, to the Southward of 36° of South latitude, and shall there fish, and return in not less than eighteen, and not more than twenty-eight months, from 1st May, yearly, there shall be paid as follows—to the first ship which shall arrive, with not less than twenty tons of oil, or head matter, 700*l.*—to the second ship 600*l.*—to the third ship 500*l.*—to the fourth ship 400*l.*—and to the fifth ship 300*l.* *Ibid.*

The master and three fourths of the crew must be *British* subjects, or foreign protestants intending to establish themselves in *Great Britain.* *Ibid.*

No premium shall be paid unless there is on board an apprentice for three years, for every fifty tons burthen; nor unless a log-book shall have been regularly kept, which shall be delivered to the collector of the customs, verified on oath. *Ibid.*

The log-book shall be produced to the captain of any ship of war that may be met at sea, who shall make therein a memorandum of the production; and also to the *British* consul at any foreign port for the like purpose. Oath shall be made that the cargo is the produce of creatures killed by the ship's crew. *Ibid.*

Persons taking part of the cargo of other vessels for the purpose of obtaining a premium, forfeit 500*l.* one moiety to the informer, if information be given in a month after report at the custom house. When information has been given, owners shall pay any sums due to masters to the collectors of the customs; and if paid otherwise, shall be accountable for the same. *Ibid.*

Produce of whales caught in the above latitudes, on the voyage, shall be deemed part of the quantity entitling to a premium. *Ibid.*

Commissioners of the customs may order payment of the premiums. *Ibid.*

Ships may sail to the East of the *Cape of Good Hope*, to the Westward of *Cape Horn*, or through the *Streights of Magellan*; but are not to pass to the Northward of 30° of South latitude, nor make more than 15° of East longitude from the *Cape of Good Hope*; nor shall they pass to the Northward of the equinoctial line, nor make more than 50° of West longitude from *Cape Horn.* *Ibid.*

Ships sailing there must take a license from the *East India* company, and deliver a manifest of their contents, and the company need not license more than ten ships. *Ibid.*

Ships sailing out of their limits, or having improper merchandize on board, are liable to the penalties of trading to the *East Indies* without license. *Ibid.*

Certificates shall be delivered to the secretary of the *East India* company, that no produce of the *East Indies* has been imported, before they are intitled to a premium. *Ibid.*

Ships sailing within the limits of the *South-sea* company, must have a license from the company. No ship shall be intitled to more than one premium the same season; if water be mixed with the oil

or

or head matter imported, it shall be forfeited, as well as the claim to the premium; and in case of dispute, the owner shall prove the purity of the oil. *Ibid.*

Quantity imported shall be ascertained by an officer of the customs, before premiums are paid; and the same may be imported in *British* ships duty free. *Ibid.*

Foreigners settled in *Great Britain*, who shall have carried on the fishery five years, shall be naturalized on taking the oath of allegiance. *Ibid.*

No harponeer, line man, or steerer, shall be impressed. *Ibid.*

Ships belonging to foreign protestants, who may come to reside in *Great Britain*, before *June 25, 1787*, shall be licensed, but not intitled to premiums. In case of the death of a foreigner, whose family had been resident five years, and his ship employed the like term, in the fishery, license shall be granted her as a *British* ship; but the owner must take the oath of allegiance. *Ibid.*

Persons granting or using false certificates, forfeit 500*l.* *Ibid.*

By 26 *Geo. 3. c. 81.* from *June 1, 1787*, an annual bounty of 20*s.* per ton is granted for seven years, to owners of ships of fifteen tons and upwards, employed in the white herring fishery.

Vessels intitled to the bounty, must be decked vessels, built in *Great Britain* after *January 1. 1780*, must have on board barrelled, twelve bushels of salt for every last of fish such vessel can hold, and also 250 square yards of netting for every ton, bus measurement, with the customary equipment; not less than five men for the first fifteen tons, and one more for every five after: and so equipt shall clear out of some *British* port between 1st *June* and 1st *October*, and proceed to the fishery, and there continue three months, unless they return sooner with a full cargo of fish. *Ibid.*

No vessel shall be intitled to the bounty, unless it proceeds on the fishery directly from the port to which it belongs. Officers of the customs shall examine vessels and certify particulars to the commissioners. Oath shall be made of the vessel's being to proceed immediately on the fishery, and security given for the faithful conduct of the crew, which is to intitle them to licenses for the voyage. *Ibid.*

Officers of the customs, on the return of a ship, shall certify her condition, and oath shall be made, that she has answered to the terms required, which certificate, with the license, shall be transmitted to the commissioners, who are to order the bounty to be paid by the receiver general. *Ibid.*

Vessels returning with less than the proper number of men, or without a full cargo, shall not be intitled to the bounty. *Ibid.*

There shall be paid for every barrel of herrings, twice packed, and completely cured, landed from a buss, intitled to the bounty of 20*s.* per ton, a bounty of 4*s.* but if the quantity imported exceeds the proportion of two and one half barrels to a ton, only 1*s.* per barrel above that proportion. And the quantity shall be computed while in the state of *sea steaks*, four barrels of which are to be deemed equal to three of herrings twice packed. *Ibid.*



To boats not intitled to the bounty of 20s. per ton, a bounty of 1s. per barrel shall be paid. Casks containing herrings intitled to bounty, shall be branded. *Ibid.*

The bounties of 4s. and 1s. per barrel shall be paid as the bounty of 20s. per ton. *Ibid.*

To vessels employed in the Deep Sea fishery, additional premiums shall be paid, viz. for the greatest quantity of herrings imported in one vessel, between June 1. and Nov. 31. eighty guineas; for the next greatest quantity sixty; for the next forty; and for the next twenty. *Ibid.*

The duties now payable on fish caught and cured for home consumption shall cease on June 1, 1787.

For such fish as heretofore would have been intitled by 5 Geo. 1. c. 18. (*salt*) to 5s. per cwt. on exportation, no more than 3s. shall be paid: *Ibid.*

If after October 1, 1786, fish be packed in casks, not branded with the curers names, it shall be forfeited. After June 1, 1787, the staves of barrels, in which white herrings are packed for exportation, must be half an inch thick, and full bound, or forfeited. *Ibid.*

Persons who have served as seamen or fishermen seven years in the fisheries, shall be intitled to the privileges granted by 22 Geo. 2. c. 44. which enables mariners and soldiers to exercise trades. *Ibid.*

Fish cured with *British* salt may be exported from one port to another in the united kingdom, for home consumption. *Ibid.*

Duties payable by 29 Geo. 2. c. 23. on the importation of fish cured with salt made in *Scotland*, shall be extended to imported fish cured with salt made in any part of *Great Britain*, and the regulations of that act extended to this. *Ibid.*

Fish may be carried from one port to another in *Britain*, for exportation, on oath being made, that they were caught in *Britain*, and cured with home salt. *Ibid.*

Fish so brought coastways for exportation, shall be intitled to the bounties of 5 Geo. 1. c. 18. and shall be subject to the regulations thereof. *Ibid.*

Bounties on exportation of fish carried from *England* to *Scotland*, shall be paid by the customs in *England*, and from *Scotland* to *England* in *Scotland*; on debenture from the officer at the port of exportation. *Ibid.*

Entry shall be made at the port of shipping, of the quantity, and where cured. Officers of the customs shall grant certificate of such entry, which is to be delivered by the master, previous to his landing the fish, on penalty of forfeiture thereof. *Ibid.*

Salt for the curing of fish, taken in the herring season, for home consumption, as well as for curing fish for exportation, may be taken duty free, on entering at the next salt office the quantity, and weighing the same in the presence of an officer, and swearing to the quantity, and that it is intended for curing fish. Entry shall be made at the port of shipping such salt, and bond given; and like entry shall be made at the intended port of relanding it. Officer of the customs shall deliver certificate of entry, which is to cancel the bond. And salt carried coastways, contrary to this act, shall be forfeited, with double its value, besides the duties, *Ibid.*

Salt may henceforward be delivered into the custody of the proprietor on his own bond. Credit shall be given on the back of the bond, for the quantity of salt accounted for; and bonds are exempted from the stamp duties. *Ibid.*

Officers accepting fees shall forfeit treble the value, and be discharged. *Ibid.*

From June 1, 1787, the bounty of 1*s.* per barrel shall be paid to the inhabitants of the isle of *Man*, for herrings caught and cured by them in terms of this act; and on exportation thereof shall be allowed the bounties granted by 5 *Geo.* 1. c. 18. to be paid if exported from the isle of *Man*, as the bounty of 1*s.* per barrel is payable there; and if from *Great Britain*, as the bounty on exportation from thence, and under the like regulations. *Ibid.*

Duties now payable on the importation of herrings from the isle of *Man* shall cease; and the penalties on officers taking fees shall extend to the fisheries of the isle of *Man*. *Ibid.*

Commissioners of customs may add to the salaries of officers, in consideration of the abolition of fees. Persons counterfeiting certificates shall be punished as forgers; and taking false oaths as guilty of perjury. *Ibid.*

If officers suspect fresh fish to have been imported into *London* contrary to 1 *Geo.* 1. c. 18. 9 *Geo.* 2. c. 33. and this act, two justices may summon the parties and determine the complaint. *Ibid.*

By 27 *Geo.* 3. c. 16. that part of the clause of the last act which restricts the bounty of 20*s.* per ton, to decked vessels, is repealed, and the said bounty extended to all vessels whatever, built in *Great Britain*, and employed in the said fishery, agreeable to the said act.

No vessel shall be deemed to have a full cargo, if under the proportion of four barrels of herrings once packed, or three twice packed, for every ton burthen. *Ibid.*

Decked vessels of not less than fifteen tons, shall be intitled to the bounties granted by the said act, if they take in one year the proportion of six barrels of herrings, when cured, for every ton burthen, though they may not have been fitted out with the quantity of salt required by the said act. *Ibid.*

An account of the quantity of herrings delivered from vessels not fitted out agreeable to the said act, shall be taken at the port of delivery, and no more than fifty such vessels fitted out in one year from the same port, shall be intitled to the bounty of 20*s.* per ton, which shall be paid to the fifty vessels that shall have taken the greatest quantity, if more than that number should be fitted out. *Ibid.*

# Flax and Hemp.

By 33 *Hen.* 8. c. 17. hemp or flax shall not be watered in any running stream or common pond, on pain of 20*s.*

By 15 *Car.* 2. c. 15. any person native or foreigner, may freely exercise the trade of dressing and using hemp, flax, tapestry hangings, with all privileges, as natural born subjects.

By 7 & 8 Will. 3. c. 39. flax, hemp, and all the productions thereof, may be imported from *Ireland* custom free, bringing a certificate. Also 1 Ann. stat. 2. c. 8.

By 7 Geo. 3. c. 58. and 10 Geo. 3. c. 40. 8000*l.* shall be paid annually by the king's sign manual, out of the duties on linens imported, or 8-15th parts thereof, for encouraging the raising of hemp and flax in *England*, and 7000*l.* or 7-15th parts of the said duties, to the commissioners of the fisheries in *Scotland*, for raising hemp and flax there.

The 21 Geo. 3. c. 58. repealed such act, and placed the management under the board of trade, but such board having been abolished by 22 Geo. 3. c. 75. the 26 Geo. 3. c. 43. placed the management of the bounties under the treasury.

Fifteen thousand pounds yearly shall be paid out of the arrears in the exchequer of the duties on linens, to be paid to the grower or person preparing hemp or flax for market as follows, viz.

For hemp, per stone, of 14 lb. — — os. 3*d.*

For flax, the like, — — o 4

to be raised in *England*, in the year 1782, and for five years after. 21 Geo. 3. c. 58.

By 26 Geo. 3. c. 43. the grants for the encouragement of the growth and dressing of hemp and flax, were put under the management of the treasury; the bounties continued seven years longer. Claims for bounties shall be exhibited to a justice, to be laid before the quarter sessions. Claimants must give bond that the bounties have been duly claimed. At every quarter sessions the bounties granted must be published, and the conditions required, on making such claims. And at midsummer sessions, annually, the names of claimants published. The treasury are to order receivers of the land tax to issue money to the justices to pay the bounties. Account of hemp sold shall be delivered therewith, and receipt given to the seller by the buyer. Annual accounts of hemp raised, and bounties paid, shall be laid before parliament. A reasonable allowance shall be made to the clerks of the peace for their trouble; and the 7, 10, and 21 Geo. 3. (except as altered) are with this act to continue in force for seven years from March 25, 1787.

The 27 Geo. 3. c. 13. reciting the 7 Geo. 3. c. 58. and likewise that the bounties never amounted to more than 6335*l.* 15*s.* in one year, upon an average of nineteen years, directs that instead of 15,000*l.* the sum of 6335*l.* 15*s.* only, shall be set apart at the exchequer, out of the duties of customs raised by this act, for the encouragement of raising hemp and flax.

## Forcible Entry.

By 5 Ric. 2. stat. 1. c. 8. none shall make any entry into lands but where lawful, and in such case not with strong hand, nor with multitude, but only in peaceable manner, on pain of imprisonment and ransom.

By



By 15 Ric. 2. c. 2. justices of peace, on complaint of a forcible entry, shall go to the place, and if they find any that hold the same forcibly, shall record it and imprison the parties.

By 8 Hen. 6. c. 9. where the person entering by force, aliens the land to have maintenance, the justices shall restore the party to full possession.

The justices shall make precept to the sheriff to return a jury to enquire of forcible entries, and the party grieved may have a special assize against the disseisor. *Ibid.*

This shall not extend to those who keep possession with force in lands, whereof they or their ancestors have continued in possession for three years. *Ibid.*

By 31 Eliz. c. 11. upon indictment of forcible entry, or holding with force, if the party indicted has been three years in quiet possession, and his estate not ended; no restitution shall be made, and costs shall be awarded against him, if the said allegation be found.

By 21 Jac. 1. c. 15. restitution of possession, to avoid forcible entries, shall be given to tenants for years, copyholders, guardians, tenants by *elegit*, statute merchant, and the like.

## Foreign States.

By 29 Geo. 2. c. 17. subjects inlisting in foreign service, without license, felony; inlisting in the *Scotch* brigade, in the service of the States General, to take oaths; offences committed against this act abroad, may be tried in any county in *Great Britain*.

## Forests.

By chart. forest. 9 Hen. 3. c. 2. men who do not dwell in the forest, shall not come before the justices by common summons, unless they be impleaded there, or were pledges for others who were attached for the forest.

Those who make purpresture, waste; or assert in the forest, without license, shall be answerable for the same. *Ibid.* c. 4.

Rangers shall make their range through the forest, as accustomed in the time of Hen. 2. and not otherwise. *Ibid.* c. 5.

*Lawing* of dogs within the forest, by cutting three claws off the fore foot, shall be when the range is made, from three years to three years, and by view of lawful men. He whose dog is found not *lawed*, shall be amerced three shillings. Such *lawing* shall not be but in places where accustomed from the first coronation of Hen. 2. *Ibid.* c. 6.

The number of foresters shall be reasonable, nor shall they make any gathering but upon the view of the twelve rangers. *Ibid.* c. 7. and also 25 Ed. 3. stat. 5. c. 7.

No swainmote shall be kept but thrice in the year; the first fifteen days before *Michaelmas*, the second about *Martinmas*, and the third

fifteen days before *Midsummer*; and the said swainmotes shall only be kept in the counties where they used to be. *Chart. Forest. c. 8.*

Every freeman may agist his own wood, and take his pawnage, and drive his swine through the king's demesne woods, to agist them elsewhere. *Ibid. c. 9. 12. 13.*

Takers of the king's venison, convict, shall make grievous fines, and if they have not wherewith, shall be imprisoned a year and a day; and after, if they find not sufficient sureties, shall abjure. *Ibid. c. 10.*

Peers of the realm coming by the forest, at the king's command, and returning, may kill a deer or two, blowing an horn, if the forester be absent. *Ibid. c. 11.*

Only foresters in fee farm shall take chiminage or toll. Likewise no constable, castellan, or bailiff, shall hold plea of forest, neither for green hue nor hunting, but foresters in fee shall make attachments, and present them to the verders of the provinces, to be presented to the chief justices, saving to others their liberties and free customs. *Ibid. c. 14. 16.*

By 21 *Ed. 1. stat. 2.* foresters killing offenders in forests, who resist, shall not be troubled upon the same.

By 33 *Ed. 1. stat. 5.* on escheat of demesne crown lands, the free chase and free warren shall remain, but they whose woods are disforested shall not have common within the forest, unless they restore the woods.

By 34 *Ed. 1. stat. 5.* presentment of offences done in forests shall be at the next *swainmote* before the foresters.

The justice of the forest shall put in the officers, except the verderors, who shall be elected by writ; none of the officers of the forest shall be put on inquests, to be taken within the forest. *Ibid.*

At every *swainmote*, inquisition shall be made of surcharges of foresters, and reformation made. *Ibid.*

The justice of the forest, in presence of the treasurer, may take fines and amerciaments of trespassers in forests, and not tarry for the *eyre*: commoners restrained by perambulation, may have common as before, under arrentation. *Ibid.*

By 1 *Ed. 3. stat. 1. c. 8.* no man shall be imprisoned in the forest for offence of vert or venison, unless taken with the *mainour*, or indicted, and the chief warden shall let him to mainprize.

By 1 *Ed. 3. stat. 2.* the perambulation of the forest in the time of *Ed. 1.* and the charter of the forest shall be kept; and where it was not bounded it shall be by good men and lawful; and they who have woods within the forest may take house-boot and hey-boot in the same, by view of the foresters.

By 25 *Ed. 3. stat. 5.* foresters shall gather nothing against any man's will, but what is due of old right.

By 7 *Ric. 2. c. 3.* a jury for trespass within a forest shall give their verdict where they received their charge.

None shall be taken or imprisoned by the officers of the forest, without indictment, or being taken with the *mainour*, on double damages. *Ibid. c. 4.*

By

By 31 *Hen. 8. c. 5.* the king shall have free chase and warren in *Hampton Court.*

By 32 *Hen. 8. c. 35.* every justice of the king's forests may make as many deputies as he will.

By 16 *Car. 1. c. 16.* the metes and bounds of forests shall be adjudged as they were taken to be in 20 *Jac. 1.* And all presentments, whereby they are further extended, shall be void.

No place shall be deemed forest, where no justice seat, swainmote, or court of attachment, hath been held within sixty years before the first year of the now king's reign. *Ibid.*

Commissions shall be issued for ascertaining the metes and bounds, commonly known in 20 *Jac. 1.* the inquests to be returned into the court of chancery. *Ibid.*

Forests shall not extend beyond the bounds so returned; grounds disforested by patents since 20 *Jac. 1.* shall not be restored, but be utterly disforested and exempt; but owners of lands so excluded, shall enjoy their ancient commons. *Ibid.*

By 20 *Car. 2. c. 3.* for encrease and preservation of timber within the forest of *Dean*, ten thousand acres shall be inclosed, patents of woods and lands therein shall be void; saving of privileges, the bounds shall be as in 20 *Jac. 1.*

By 20 *Geo. 2. c. 19.* persons convicted of setting fire to furze, or the like, in chaces, or forests, shall forfeit not less than 40*s.* or more than 5*l.*

## Forestallers.

By the ordinance for bakers, *incert. temp. c. 10.* forestaller convict, the first time shall be amerced, and lose the thing so bought; the second time, pillory; the third time, imprisonment and fine; the fourth time, shall abjure the town.

By 25 *Ed. 3. stat. 4. c. 3.* forestallers of victuals, attainted at the king's suit, shall forfeit the things to the king, or be imprisoned two years.

By 27 *Ed. 3. c. 11.* forestalling or engrossing *Gascoin* wine, is a forfeiture of lands and goods.

## Forfeitures.

By *stat. de catall. felon incert. temp.* the king shall not have the lands and chattels of a felon till conviction, but the party shall give security for the same, and if convicted, the chattels shall remain to the king, with one year and a day in the lands.

By 31 *Ed. 3. stat. 1. c. 3.* one charged in the exchequer by estreats of the justices, with goods of felons, may discharge himself by shewing another chargeable. And escapes of felons shall be levied as they fall. Also *c. 14.*



By 34 *Ed. 3. c. 12.* there shall be no forfeiture of lands for treason of dead persons not attainted in their lives.

By 1 *Ric. 3. c. 3.* no officer shall seize the goods of a prisoner for felony, before he is convicted.

## Forgery.

By 5 *Eliz. c. 14.* forging any deed or writing whereby another's freehold may be troubled, shall pay double costs, be set upon the pillory, have both ears cut off, nostrils slit, forfeit profits of lands, and be imprisoned for life.

Forging any deed or writing, whereby lease or annuity may be claimed, or obligation, acquittance, or release, shall pay double costs, be set upon the pillory, have one ear cut off, and be imprisoned for one year. *Ibid.*

The plaintiff may release his damages, but not the penalties; and the second offence is felony *without* clergy.

(For particular forgeries see the title Felons.)

## Franchises.

By 27 *Ed. 1. stat. 2.* writ of *ad quod damnum*, shall be sued by those who would purchase grants of liberties, fairs, markets, or the like.

By 27 *Hen. 8. c. 24* the king only shall pardon treason, felonies, and crimes; and justices shall be appointed by letters patent under the great seal, in the name of the king only.

All writs, indictments, and processes, in franchises, shall be made in the king's name; stewards, bailiffs, and other ministers of liberties, shall attend the justices of assize, and make due execution of all processes, and they may execute their offices above a year. *Ibid.*

By 4 & 5 *W. & M. c. 22.* grantees of felons goods, deodands, and other forfeitures, may enroll so much of their charters only, as expresses the grant, and after such entry, shall not be compelled to plead the same.

By 13 *Geo. 2. c. 18.* sheriffs shall appoint deputies in franchises, at the request of the lords of liberties.

Justices of the peace for liberties, to act with the same power as justices for the county, in collecting county rates. *Ibid.*

By 20 *Geo. 2. c. 43.* all heritable jurisdictions in Scotland, the office of high constable excepted, shall cease.

## Frauds and fraudulent Conveyances.

By 1 *Ric. 2. c. 9.* a feoffment of lands or gift of goods by fraud, or for maintenance shall be void; and actions may be maintained against such feoffors as take the profits. Also 4 *Hen. 4. c. 7.* and 11 *Hen. 6. c. 3.*

By

By 3 *Hen. 7. c. 4.* all deeds of gift of goods and chattels to the use of the person who made the same, to the intent to defraud creditors, shall be void.

By 13 *Eliz. c. 5.* all fraudulent conveyances, bonds, and deeds, made to defraud or hinder creditors, shall be void; and parties and privies shall forfeit one year's value of lands, and the whole value of goods; and so much money as shall be mentioned in such bonds. But common recoveries shall be good, and the act shall not extend to voucher in formedon, or to purchasers for a valuable consideration.

By 27 *Eliz. c. 4.* conveyances made to defraud a purchaser, against such purchaser only, shall be void; and parties justifying the conveyance as made *bona fide*, shall forfeit one year's value of the lands, and be imprisoned half a year. Where lands are conveyed with clause of revocation, and afterwards sold for valuable consideration, the first conveyance shall be void against the vendee. But mortgages made *bona fide*, are not impeached. And statutes merchant shall be entered in six months, and for searching the same, the fee is 2*d.* a term.

By 29 *Car. 2. c. 3.* called the statute of frauds. *Parol* leases of freehold shall have the force of estates at will only, except leases not exceeding three years, whereon the rent reserved amounts to two thirds of the improved value.

No action shall be brought upon any special promise to charge an executor or administrator to answer damages out of his own estate, or to charge any defendant for the debt of another, or upon any agreement on consideration of marriage, or upon any contract for lands or any interest therein, or upon any agreement that is not to be performed within one year, unless the agreement, or memorandum thereof, be in writing signed by the party. *Ibid.*

No contract for sale of goods for ten pounds or more, shall be good, except the buyer accept part of the same, or give *earnest*, or some memorandum be made. *Ibid.*

By 3 & 4 *W. & M. c. 14.* wills of lands shall be deemed, only as against bond creditors, to be fraudulent. And they may sue the devisee and the heir of the obligor, jointly, and such devisee shall be chargeable for a false plea, as an heir.

Devises for raising younger childrens portions, pursuant to marriage contract, shall be good. *Ibid.*

If the heir or devisee aliens before action brought, he shall still be liable to the value of the land. *Ibid.*

## Funds.

By 7 *Ann. c. 7.* the two third subsidies, and the duties upon coffee, tea, chocolate, and the like, shall be a general fund for paying off *exchequer* bills.

By 8 *Ann. c. 13.* monies paid for making good any deficiencies on the annuity acts, may be replaced out of the undisposed surplus.

By

By 1 *Geo. 1. stat. 2. c. 12.* 3 *Geo. 1. c. 8.* and 5 *Geo. 1. c. 3.* certain duties theretofore granted, were formed into one *aggregate* fund. And by 5 *Geo. 1. c. 3.* the overplus monies thereof shall be the *sinking* fund for discharging the national debts.

By 7 *Geo. 1. stat. 1. c. 5.* after discharging a million exchequer bills, and public debts, bearing 5 *per cent.* interest, the *sinking* fund shall be applied towards paying off part of the capital stock of the bank, the *South-sea*, and *East India* companies.

By 9 *Geo. 1. c. 5.* the monies arising by the *sinking* fund shall be appropriated for discharging principal and interest of national debts.

By 26 *Geo. 3. c. 31.* 250,000*l.* shall be set apart quarterly out of the surplusses of the sinking fund; and in case of a deficiency in the said surplusses, the same shall be carried on as a charge, on the subsequent quarters.

Surplusses remaining (after former incumbrances are provided for) shall be applied in payment of former deficiencies, and of so much of the quarterly sum of 250,000*l.* as they will extend to pay. *Ibid.*

Deficiencies at the end of any year shall be made good out of the supplies granted the same year. *Ibid.*

The monies set apart quarterly, shall be paid into the bank: and shall be applied in reducing the national debt. Officers of the exchequer are not to issue the produce of the sinking fund, before payment of the 250,000*l.* quarterly, and the redeemed stock shall be transferred to the commissioners, and the dividends shall be received by the bank, and placed to the commissioners account. *Ibid.*

When any of the public annuities shall cease by the expiration of the terms for which they were granted, the duties applicable to the payment thereof shall continue to be levied, and the monies payable thereon shall be issued to the bank. *Ibid.*

When any stock shall be placed to the account of the commissioners, no money shall be issued for the management thereof. Monies placed to the account of the commissioners shall be applied in redemption of annuities at or above par. *Ibid.*

The commissioners are empowered, if they shall think expedient, to subscribe towards any public loan; and the speaker of the house of commons, the chancellor of the exchequer, the master of the rolls, the accountant general in chancery, and the governor and deputy governor of the bank, for the time being respectively, shall be commissioners, who are to appoint clerks, and officers. *Ibid.*

The bank shall pay such money vested in the commissioners, as shall be ordered by them, and shall make up their account with them annually, which shall be laid before the parliament annually. *Ibid.*

Commissioners are to lay an account of their proceedings before parliament; and before the commissioners for auditing the public accounts. *Ibid.*

When the sum annually receivable by the commissioners, shall amount to four millions the dividends due on stock paid off by them, shall be considered as redeemed by parliament. *Ibid.*

Forging



Forging any certificate made by virtue of this act is felony without clergy, *Ibid.*

The cashiers of the bank shall give security; and the treasury may discharge incidental charges of executing this act. *Ibid.*

By 27 Geo. 3. c. 13. the duties of customs, excise, and stamps, and the several duties on hackney coaches, and chairs, hawkers, and pedlars, houses, windows, and lights, male and female servants, the duties on salt, the sum of 12,000*l.* payable by the bank for receipts and notes according to 23 Geo. 3. c. 58. (*Stamps*) the 6*d.* in the pound on pensions by 12 Geo. 1. and the 1*s.* in the pound on salaries by 31 Geo. 2. (*Taxes*) the duties on shops, on coaches and other carriages, on waggons and carts and on horses, shall be carried to one fund, to be called *the consolidated fund*.

During the life of his majesty, the revenue of the post office, the alienation fines, after payment of 2000*l.* *per ann.* to the hanaper office in chancery; the post fines; the duties on licences to retail wine, sheriffs proffers and compositions in the exchequer, seizures of prohibited or uncustomed goods, the rents for lands, or fines for leases payable to the king, shall be carried to the said fund, which revenue, after his majesty's demise shall be paid to his successors. *Ibid.*

After his majesty's demise 2000*l.* *per ann.* shall be reserved out of monies payable in the alienation office, for the charge of the hanaper office; and the surplus of new duties on wine licences above 7002*l.* 14*s.* 3*d.* *per ann.* shall be carried to the consolidated fund. *Ibid.*

From his majesty's demise 38,626*l.* 18*s.* 10*d.*  $\frac{1}{4}$  shall be paid quarterly into the exchequer out of the post-office revenue, to be carried to the consolidated fund. *Ibid.*

The commissioners of the excise shall transmit quarterly an account of the amount of the hereditary duties of excise to the exchequer, where the money shall be set apart, after his majesty's demise, and paid to his successors. *Ibid.*

All monies paid into the exchequer, and not otherways appropriated, shall be carried to the consolidated fund. *Ibid.*

All annuities due from the public, shall be payable out of the consolidated fund, that is to say, annuities for lives or long terms, payable at the exchequer, shall be paid out of the said fund, at the same times, and in like manner as heretofore, out of the said fund is next to be issued quarterly, the annuities due to the South-sea company, to the bank, and to the East India company. *Ibid.*

The act enumerates the average quarterly produce of the duties appropriated towards payment of the several public annuities, and directs, that before issuing any money out of the consolidated fund at the end of each quarter, there be set apart certain sums equal to such average quarterly produce, towards payment of the several annuities, which is to be paid to the bank, to be distributed in the proper proportions. *Ibid.*

But the whole sums due for the public annuities may, with the consent of the proprietors, be issued out of the consolidated fund, and

and unless a proprietor shall signify his dissent thereto to the bank before the 1st of *June* 1787, he shall be deemed to have consented *Ibid.*

Whenever the consolidated fund shall be insufficient to pay the annuities, the treasury may make good the deficiency out of the supplies for that year, which shall be replaced out of any future surplus of the fund. *Ibid.*

From *July* 5. 1787, the sum of 250,000*l.* directed by 26 *Geo.* 3. c. 31. to be set apart at the exchequer quarterly, shall be set apart out of the consolidated fund, and the provisions of that act shall continue in force. *Ibid.*

From *May* 10, 1787, all monies reserved for payment of annuities on lives, which shall not have been claimed for three years prior to *January* 5, 1787, or which shall thereafter not be claimed for three years, shall be placed to the account of the commissioners for reducing the national debt. *Ibid.*

The exchequer shall transmit, by *April* 5, annually, an account of annuities fallen in by death, or unclaimed for three years, to the treasury, who are to cause the same to be placed to the account of the said commissioners. *Ibid.*

But if any claimants of annuities so appropriated shall thereafter appear, they are to be paid out of any money applicable for the payment of annuities. *Ibid.*

All clauses and provisos contained in any acts relating to the public debt, except hereby altered, shall continue in force. *Ibid.*

The augmentation of the judges salaries shall be paid out of the consolidated fund. *Ibid.*

All annuities charged upon the aggregate fund shall, from *July* 5, 1787, be payable out of the consolidated fund; but pensions on the excise or post-office shall be paid as heretofore. *Ibid.*

Annuities payable from the excise, customs, or salt duties in *Scotland* shall be paid as heretofore. *Ibid.*

## Game.

### *Qualification to destroy Game.*

**B**Y 13 *Ric.* 2. c. 13. no artificer, labourer nor other layman, who hath not lands to the value of 40*s.* a year, nor priest, if he be not advanced to the value of 10*l.* a year, shall keep any greyhound, hound or other dog, to hunt, nor use ferrets, nets, cords, nor other engines to take or destroy other gentlemens game; and the justices of peace shall enquire of and punish offenders.

By 25 *Hen.* 8. c. 11. freeholders of 40*s.* *per ann.* may kill wild fowl with spaniels only.

By 1 *Jac.* 1. c. 27. persons not possessed of a freehold estate of 10*l.* *per ann.* or for life 30*l.* or of goods to the value of 200 *l.* (except the son of a knight, baron, or heir apparent of an esquire)

quire) keeping a greyhound, a setting dog, or nets to take pheasants or partridges, shall forfeit 40s. to the poor.

By 7 *Jac.* 1. c. 11. free warreners, lords of manors, and freeholders of 40*l.* a year, or 80*l.* for life, or worth in goods 400*l.* may take pheasants and partridges on their own ground, between *Michaelmas* and *Christmas*.

By 22 & 23 *Car.* 2. c. 25. persons not having 100*l.* a year, in a freehold, or 150*l.* a year for life, or on leases for ninety-nine years (except the heir apparent of an esquire, or person of higher degree, and the keepers of parks) shall not have any guns, nets, dogs, or engines.

*Licenses to kill game are noticed under the title Stamps.*

### *Acts for the preservation of the various species of Game.*

By 11 *Hen.* 7. c. 17. No person whatsoever shall take any *pheasants* or *partridges* upon the freehold of another, by nets, snares, or other engines, without assent of the owner, on pain of 10*l.* half to the king and half to the informer. Taking *hawks* or *swans* eggs out of their nests is a like penalty. *English* hawks shall not be borne; on forfeiture thereof; but he that bringeth a *Nyette* hawk from foreign parts shall be rewarded. The penalty for taking, killing, or driving of hawks, is 10*l.*

By 19 *Hen.* 7. c. 11. no person shall take young *herons* out of the nest, in another's ground, without license of the owner; on pain of 10s. each.

By 14 & 15 *Hen.* 8. c. 10. no person shall trace and kill any hare in the snow; on forfeiture of 6s. 8*d.* per hare.

By 25 *Hen.* 8. c. 11. wild fowl shall not be taken between the last day of *May* and the last day of *August*, and justices may enquire of and determine the offence, the penalty for which is 4*d.* per fowl and half a year's imprisonment.

No person shall destroy or take away the eggs of any wild fowl; on pain of 20*d.* for the egg of a bustard, of a heron 8*d.* of a mallard 1*d.* but this does not extend to the eggs of crows or other birds not eaten. *Ibid.*

By 5 *Eliz.* c. 21. persons for unlawful fishing in ponds, hunting in a park and taking hawks or their eggs, shall be imprisoned for three months, be bound to their good behaviour for seven years, and pay treble damages.

By 23 *Eliz.* c. 10. no person shall take or kill pheasants or partridges with any net in the night, on forfeiture of 20s. for every pheasant, and 10s. a partridge. Hunting with spaniels in standing corn, is a forfeiture of 20s.

By 1 *Jac.* 1. c. 27. persons killing with a gun or bow any pheasant, partridge, pidgeon, duck, heron, hare or other game, or tracing hares in the snow, shall forfeit 20s. each and be bound  
not



not to commit the like offence again, and selling or buying to sell again deer, hare, pheasant, or the like shall forfeit 40 s. a deer, and 10 s. a hare.

By 7 Jac. 1. c. 11. persons killing of any pheasant or partridge between the 1st of July and the last of August shall forfeit for every hawking 40 s. and 20 s. for every bird destroyed.

Persons taking any pheasants or partridges with setting dogs or nets shall be imprisoned for three months, unless they pay 20 s. per bird, and enter into a recognizance of 20 l. not to offend again. *Ibid.*

Officers on warrant may search the houses of suspected persons, and seize and destroy the things prohibited. *Ibid.*

By 22 & 23 Car. 2. c. 25. lords of manors may appoint game-keepers, who may seize guns, nets, dogs, and search houses of persons unqualified.

Persons killing conies in a warren not inclosed, shall forfeit treble damages, and be imprisoned three months, and no person shall in the night kill any conies on the borders of any warren, except the owner of the ground; on pain of rendering satisfaction, and paying 10 s. to the poor. *Ibid.*

Persons caught setting or using any snares, shall be liable to the penalties. *Ibid.*

Persons *fishing* in any river or pond without the consent of the owner, shall forfeit treble damages, and 10 s. to the poor. *Ibid.*

By 4 & 5 Will. & Mar. c. 23. laws for the preservation of game shall be duly executed. Constable by warrant from a justice may search houses for game or fish of suspected persons not qualified, and if any game or fish be found not accounted for, the owner shall be convicted in the penalty of 5 s. each, and such persons keeping nets, dogs, or engines, for destruction of game, shall in like manner be convicted.

Game-keepers are indemnified in resisting offenders in the night. *Ibid.*

No persons shall keep any engine for taking of fish (except makers and sellers, occupier of a fishery, or fishermen) and the owner of the fishery may seize the same, and by a magistrate's warrant search houses for the same. *Ibid.*

Inferior tradesmen or apprentices shall be liable to full costs for trespass in coming on another's ground to hunt, and no persons shall burn ling or surze, upon heaths or moors between February 2, and June 24, on pain of imprisonment and whipping. *Ibid.*

By 5 Ann. c. 14. no higgler, chapman, carrier, inn, or ale-house-keeper shall have in his custody, any hare, pheasant, partridge or grouse, or buy or sell the same, on pain of 5 l. and destroyers of game discovering such persons, shall have the reward of informers, and be discharged from the penalties.

Persons not qualified keeping greyhounds, setting dogs, tunnels, or the like, to destroy game, forfeit 5 l. and the justices may take away such game, dogs, nets, and other things. Lords of manors may appoint game keepers; but game keeper killing the game and selling it without the lord's consent, shall be imprisoned three months. *Ibid.*

No heath, ling or brakes shall be fired in the forest of *Sherwood*, without license of the owner. *Ibid.*

By 9 *Ann. c. 25.* lords of manors shall appoint but one game-keeper in one manor, whose name shall be entered with the clerk of the peace. Game-keepers not so qualified, or other unqualified persons, killing or selling any game shall be liable to the penalties on higglers and others in the last act; and if any game be found in the house, shop, or possession of any unqualified person, it shall be deemed an exposing to sale.

Killing such game in the night shall incur the like penalties. And no person shall between 1st of *June* and 1st of *October* take any wild duck or water fowl by hayes, tunnels or nets, on forfeiture of 5*s.* for each fowl. *Ibid.* and 10 *Geo. 2. c. 32.*

By 3 *Geo. 1. c. 11.* no lord of a manor shall appoint any game-keeper with power to kill game, except he be qualified so to do, or a servant; and persons not qualified, killing game, shall be liable to former penalties.

By 8 *Geo. 1. c. 19.* penalties inflicted by the game acts (*which are in general half to the informer and half to the poor*) may be recovered either by information before a justice of peace, or by action in any of his majesty's courts of record; so as such action be brought before the end of the term, after offence.

By 28 *Geo. 2. c. 12.* any person selling or exposing to sale, any game whether qualified or not qualified, shall be liable to the penalties on higglers.

Game found in the house, or possession of any poulterer, salesman, fishmonger, or cook, shall be adjudged an exposing to sale. *Ibid.*

By the mutiny acts any officer or soldier destroying game where he is quartered, without leave of the lord of the manor, shall forfeit, each officer 5*l.* and soldiers 20*s.*

By 2 *Geo. 3. c. 19.* no person may take or have in his custody any partridge between 12th of *February* and 1st of *September*, or pheasant between 1st of *February* and 1st of *October*, or heath fowl between 1st of *January* and 20th of *August*, or grouse between 1st of *December* and 25th *July*.

Except pheasants taken in the proper season and kept in any mew or breeding place. Not to extend to *Scotland*. *Ibid.*

Persons offending shall forfeit 5*l.* to the informer. *Ibid.*

By 2 *Geo. 3. c. 29.* any person who shall wilfully shoot at or destroy any house dove, or pigeons belonging to other persons, shall forfeit 20*s.* to the informer.

By 5 *Geo. 3. c. 14.* entering warrens in the night time and destroying conies, transportation for seven years, and whipping, fine, or imprisonment.

By 13 *Geo. 3. c. 55.* killing black game between the 10th of *December* and 20th of *August*, red game between the 10th of *December* and 12th of *August*, and bustards between the 1st of *March* and 1st of *September* for the first offence to forfeit not more than 20*l.* nor less than 10*l.* and for every other offence, not less than 20*l.*

20*l.* nor more than 30*l.* Not to extend to *Scotland*, and act 2 *Geo.* 3. c. 19. as to black game, and grouse called red game repealed.

By 13 *Geo.* 3. c. 80. taking, killing or destroying, a hare, pheasant, partridge, moor game, heath game, or grouse, or using dog, gun, snare, net or engine for that purpose between seven at night and six in the morning, from 12th of *February* and 12th of *October*, and between nine at night and four in the morning the rest of the year; for the first offence to forfeit not less than 10*l.* nor more than 20*l.* for the second offence not less than 20*l.* nor more than 30*l.* and for any other offence to be committed till the next general quarter sessions, or bound over as well as the informer; and if convicted to pay 50*l.* and be committed till payment, but not for less than six months, nor more than twelve, and to be whipped at the end of imprisonment.

Killing game on *Sunday* or *Christmas-day*, the same penalty; but not to be proceeded against without information, on oath, within a month. *Ibid.*

Penalties inflicted by the game acts, may be recovered either by information before a magistrate, or by action in any court of record; such action to be brought before the end of the next term, 8 *Geo.* 1. c. 19. 26 *Geo.* 2. c. 2. 2 *Geo.* 3. c. 19. and c. 29.

## Gaols.

By 27 *Geo.* 2. c. 3. offenders not having sufficient to defray the expences of conveying them to gaol, the justices shall grant a warrant on the treasurer of the county for payment of the same.

In *Middlesex* the overseers of the parish where the offender was taken, on warrant from any justice, shall pay such charges. *Ibid.*

By 13 *Geo.* 3. c. 58. clergymen may be appointed by the quarter sessions to officiate in county gaols at a salary of not more than 50*l.* *per ann.* to be paid by the county treasurer.

By 14 *Geo.* 3. c. 59. quarter sessions may order gaols to be whitewashed once a year, and ventilators to be put up, and appoint sick rooms, and bathing tubs; the rules to be hung up publicly, and to appoint an apothecary, and surgeon, the expence to be paid out of the county rates, and may punish gaolers.

## Gauging.

By 27 *Ed.* 3. *stat.* 1. c. 8. all red and white wine imported to sell shall be gauged by the king's gaugers; on forfeiture thereof by 31 *Ed.* 3. *stat.* 1. c. 5

By 4 *Ric.* 2. c. 1. all the vessels of wine, vinegar, honey, oil, &c. shall be gauged.

By 4 *Ric.* 2. c. 8. no person shall be impeached for any forfeiture for not gauging *Rhenish* wine.

By



By 18 *Hen. 6. c. 17.* the ton shall be 252 gallons, the pipe or but 126, the tertian eighty-four, and hogthead sixty-three, and the gauge penny shall be paid gaugers, *also 23 Hen. 6. c. 16.*

By 1 *Ric. 3. c. 13.* the barrel shall be thirty-one gallons and an half, and the rundlet eighteen and an half.

By 28 *Hen. 8. c. 14.* every vessel shall be marked by the gauger, and the seller shall make an allowance for deficiency of measure.

By 31 *Eliz. c. 8.* vessels imported from beyond the sea, and used for ale and beer, shall be gauged and marked according to the standard, at one penny for the pipe or but, and one half-penny for other vessels.

By 32 *Geo. 2. c. 29.* gaugers may take samples *gratis* of spirituous liquors imported, not exceeding half a pint out of each cask.

## Gold and Silver.

By 28 *Ed. 1. c. 20.* vessels of gold and silver shall be assayed and touched; goldsmiths in all towns shall be ordered as those in *London* be.

By 5 *Hen. 4. c. 13.* rings, cup-covers, and other things made of copper or latten, shall not be laid on with gold or silver, except ornaments for the church.

By 2 *Hen. 5. stat. 2. c. 4.* there shall be no gilding of silver wares but of the alloy of *English* sterling.

By 8 *Hen. 5. c. 3.* sheaths or any metals but silver, shall not be gilded, except church ornaments.

By 2 *Hen. 6. c. 14.* none shall sell any work of silver unless it be as fine as sterling, except necessary folder; nor unless it be marked with the goldsmith's known mark; on forfeiture of double value.

By 4 *Hen. 7. c. 2.* refiners of gold and silver shall not allay the same, nor sell to others than officers of the mint, or goldsmiths, and that it be made so fine as to bear 12*d.* weight of allay in a pound weight, and be sterling.

By 18 *Eliz. c. 15.* goldsmiths shall not sell gold plate less fine than twenty-two carraets, nor silver less in fineness than eleven ounces two penny-weights and shall set their own mark.

By 15 *Car. 2. c. 7.* bullion of gold or silver, being entered, may be exported custom free.

By 1 *Will. & Mar. c. 30.* all gold and silver extracted by refining metals shall be disposed of only at the mint.

By 6 & 7 *Will. 3. c. 17.* none shall cast bars of silver, or stamp them like *Spanish*, on pain of forfeiture, and also 500*l.*

No person shall export bullion, except it be stamped at goldsmiths-hall, and none but goldsmiths or refiners shall buy and sell the same. *Ibid.*

By 7 & 8 *Will. 3. c. 19.* no person shall ship molten silver or bullion without certificate from the city of *London*, and oath that the same is foreign bullion, and not coined or clipped in *England*; on pain of 200*l.* on the exporter, and officer of customs.

By 8 *Will.* 3. c. 8. no silver plate shall be of less fineness than eleven ounces ten penny weights to a pound troy, except silver wire and wares not markable, and by 9 *Will.* 3. c. 28. silver manufactures made in this kingdom, according to such standard, may be exported.

By 6 *Geo.* 1. c. 11. there may be two different standards of silver plate, *viz.* the old of eleven ounces, two penny-weights in every pound troy, marked with the *leopard*; and the new of eleven ounces two penny-weights, marked with the lion's head and *Britannia*.

*It is to be observed that by the 12 Will.* 3. c. 4. 1 *Ann.* c. 9. and 13 *Geo.* 3. c. 52. *assayers are appointed in York, Exeter, Bristol, Chester, Norwich, Newcastle, Sheffield and Birmingham as well as in London.*

By 12 *Geo.* 2. c. 26. no manufacture of gold shall be less in fineness than twenty-two carraets of fine gold in every pound troy, nor silver less than eleven ounces, two penny-weights; on pain of 10*l.* but this not to extend to jewellers works (except mourning rings.)

Shopkeepers are to be exempted from prosecutions, if they discover to any of the goldsmiths companies the maker of such plate, within fourteen days after notice. *Ibid.*

Selling or exposing to sale any gold or silver wares before marked, is a penalty of 10*l.* except such as from the elegance of the workmanship, cannot without damage, and also small wares under ten penny-weights. *Ibid.*

A note or memorandum shall be sent with the gold or silver to be marked by the wardens of the several goldsmiths companies, on pain of 5*l.* they may determine the quantity of solder to be used in plate, and break and deface ill-wrought plate. *Ibid.*

The country companies are to have the same prices for assaying and marking plate as the *goldsmiths* in *London*. And the makers of plate shall enter every new mark at the proper assay office on pain of 10*l.* *Ibid.*

By 15 *Geo.* 2. c. 20. all metal inferior to silver shall be spun on thread, yarn, or incle; on pain of 5*s.* per ounce, silver thread shall hold eleven ounces fifteen penny-weights of fine silver upon the pound weight troy; and gilt silver thread eleven ounces eight penny-weights; and four penny-weights four grains of fine gold, on the like penalty.

No gilt wire shall be coloured with verdigrease, on pain of 2*s.* 6*d.* per ounce, and gold and silver reduced into plate, shall have six ounces of plate to cover four ounces of silk, except large twist or brocades which are five ounces to be covered, and if more silk is used, the penalty is 2*s.* 6*d.* per ounce. *Ibid.*

Selling gold or silver lace mixed with other metal is a penalty of 2*s.* 6*d.* per ounce, selling by any other than troy weight, or making or selling gold or silver thread or plate mixed contrary to this act, is a penalty of 5*s.* per ounce. *Ibid.*

No gold or silver lace, or works of baser metal, shall be imported, on pain of having the same burnt, and forfeiting 100*l.* *Ibid.*

But

But this act does not extend to counterfeit lace, or fringe made, for theatrical uses. *Ibid.*

The 22 Geo. 2. c. 36. inflicts a penalty of 100 *l.* on importers, venders, and makers up of any foreign embroidery, gold or silver lace.

By 10 Geo. 3. c. 48. receivers of stolen jewels, gold or silver plate, or watches, may be tried before the conviction of the principal, and transported for fourteen years.

By 13 Geo. 3. c. 52. (*among other local regulations*) four guardians of the standard of wrought plate in *Sheffield* and *Birmingham*, shall be chosen yearly for each town; and on death or removal, others shall be appointed in their room.

No plate shall be sold without the initials of the worker's name and mark; the mark for *Birmingham* an anchor, and for *Sheffield* a crown; and an assayer shall be chosen for each town. *Ibid.*

Base metal in any piece of plate shall be broken and forfeited; but if, on cutting, found good, recompence shall be made to the owner. *Ibid.*

Plate workers shall enter their names with the nearest company, on penalty of 100 *l.* counterfeiting or transposing the marks, transportation for fourteen years; putting letters on plated metal 100 *l.* penalty. *Ibid.*

Assayers shall take only 1 *s.* per pound troy, except parcels under a pound, nor shall they discover patterns, on penalty of 200 *l.* *Ibid.*

Marks shall be locked up by the wardens; the king's assayer shall try the diet yearly, and the master of the mint shall have 3 *l.* 3 *s.* and the assay master 10 *l.* 10 *s.* for the same. *Ibid.*

By 13 Geo. 3. c. 59. the 31 Geo. 2. c. 32. as to forging, counterfeiting, and transposing stamps on plate, is repealed, and forging or counterfeiting the stamps used by the goldsmiths company of *London*, or the wardens or assayers of *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle upon Tyne*, or transposing the same from one piece to another, and exposing such to sale, transportation for fourteen years.

By 24 Geo. 3. c. 20. the guardians of the assay office in *Sheffield*, may appoint prices to be taken for assaying and marking wrought plate there.

The manufacturers of plated goods in *Sheffield*, or within 100 miles thereof, may strike their names, together with a mark, on the goods, without incurring the penalty in 13 Geo. 3. *Ibid.*

Names shall be in legible characters; and marks are to be approved of by the guardians, and registered at the office. *Ibid.*

Manufacturers using a name or mark not registered, or belonging to others, shall be subject to a penalty of 100 *l.* *Ibid.*

#### *Duty on Plate.*

By 24 Geo. 3. c. 53. the following stamp duties upon gold and silver plate shall be paid to his majesty, viz. for gold plate made in *Great Britain*, 8 *s.* per oz.

For silver plate made in *Great Britain*, 6 *d.* per oz. *Ibid.*



Goldsmiths shall send to the assay office, with every parcel of gold or silver, a written note; particulars to be specified therein: assayers are to mark plate with the king's head; the duties are to be paid previous to the marking, and receipts given for the same. *Ibid.*

Assay masters shall pay the duties, and deliver the notes they receive daily to the clerk or accountant. *Ibid.*

The person appointed to receive the duties payable for marking of plate, may make an allowance of one sixth part of the duty for all plate brought in an unfinished state. 25 Geo. 3. c. 64.

Gold or silver plate made after December 1, 1784, shall not be sold, or exchanged, or exported, until marked as by this act directed, on penalty of 50 *l.* and forfeiture of the goods; but this act does not extend to jewellers work (except mourning rings) nor to the wares excepted in 12 Geo. 2. c. 26. 24 Geo. 3. c. 53.

The duty shall be returned for all gold and silver defaced for being coarser than the standard (if no intended fraud shall appear.) *Ibid.*

The clerk of the goldsmiths company in London, and the wardens or other persons appointed by the goldsmiths companies elsewhere, shall deliver either to the commissioners of stamps, or to the head distributor, within two months after every quarter day, copies of accounts for the preceding quarter, and shall pay the monies due thereon to the receiver general of the stamp duties, on penalty of 50 *l.* and double the money due. *Ibid.*

An allowance of 6 *d.* in the pound shall be made to the clerks for their trouble. *Ibid.*

Any person who shall counterfeit any stamp to be used in pursuance of this act, or shall stamp any wrought plate, with any counterfeited stamps, or shall remove from one piece of wrought plate to another, any stamp to be used by the said companies or assayers, or shall sell or export any plate, with such counterfeit stamp thereon, shall suffer as a felon *without* benefit of clergy. *Ibid.*

On exportation the duties are to be drawn back, giving the usual security. 25 Geo. 3. c. 64.

Gold and silver watches exported, shall be marked in the inside cases, with the same number as the work. *Ibid.*

Bonds shall remain in force until a certificate is given from the consignee of the receipt of the goods; but they are to be cancelled upon the loss of any vessel exporting such goods. *Ibid.*

## Greenland.

By 25 Car. 2. c. 7. all persons may *freely* trade into and from Greenland, and those seas, and may take and import whales, oil, and blubber, and may have harponeers, as well as *English* mariners.

But no *English* ship shall have the benefit of this act, unless such vessel did proceed from England, or Wales, or Berwick, and was victualled there.

By

By 4 & 5 *Will. & Mar. c. 17.* certain persons were incorporated by the name of the *Greenland Company*, enabled to buy land, and to trade to *Greenland*.

By 10 *Will. 3. c. 25.* the *Greenland company* may import oil, blubber, and whale fins, custom free.

By 1 *Ann. c. 16.* any person who will adventure to *Greenland* for whale fishing, shall have all privileges granted to the *Greenland company*, and no harpioneer shall be impressed.

## Guardians.

By *Mag. Chart. 9 Hen. 3. c. 5.* guardians shall retain the lands; till the heir is of age, and restore it as fully stocked as received.— And by 5 *Ed. 1. c. 21.* they shall sustain the land without destruction of any thing.

By 20 *Hen. 3. c. 6.* where the heir is taken away, withholden, or married, by kinsfolks, or others, with force against the peace, the loser shall recover the value of the marriage.

By 52 *Hen. 3. c. 7.* heirs shall not lose their inheritance by neglect or rebellion of their guardians; and guardians shall account to the heir, at his lawful age, for the issues of the inheritance, saving his reasonable costs, without sale, waste, or the like. Also *c. 17.*

By 13 *Ed. 1. c. 35.* taking away an infant ward, though afterwards restored unmarried, shall be punished by two years imprisonment, and if the ward be married, shall abjure the realm, or have perpetual imprisonment.

By 12 *Car. 2. c. 24.* parents may by will dispose of the custody of their children, during minority, to any but popish recusants, as guardians in socage, who may have an action for taking such child away.

Such guardian shall have the management of the land and personal estate for the infant; but this shall not prejudice the custom of the city of *London*, or any other place. *Ibid.*

## Gunpowder.

By 16 *Car. 1. c. 21.* all subjects may make and sell gunpowder, and import saltpetre.

By 4 *Geo. 2. c. 29.* continued by 26 *Geo. 3. c. 53.* until September 29, 1792, an allowance of 4*s.* per barrel shall be paid to every person exporting *British* gunpowder as merchandize.

When the duties on saltpetre and brimstone imported shall be redeemed, so much of the allowance for gunpowder exported shall be abated. *Ibid.*

By 12 *Geo. 3. c. 61.* no new mill for gunpowder shall be erected without license from the quarter sessions, and no pestle mill to be used, nor more than 40 lb. of powder to be made at a time under a single pair of stones, except at *Battle*, *Crowhurst*, *Saddlescombe* and *Brede* in *Suffex*; not more than 40 lb. to be dried at a time, no more than necessary to be kept in drying houses, and sufficient magazine

gazines of brick or stone to be appointed by the quarter sessions, at a distance from the mills, on penalty of 25 *l.* a month.

No dealer to keep more than 200 lb. at a time, but 300 lb. may be kept for the use of mines; not more than 25 barrels to be conveyed by land, nor above 200 by water; not to extend to carriages of less than 100 weight. *Ibid.*

Smoaking, or using charcoal, on board vessels laden with gunpowder, to forfeit 5 *l.* and for delaying loading 10 *l.* *Ibid.*

Justices may search for and seize powder made contrary to the act. *Ibid.*

No ship (except in the king's service) to have more than 25 lb. of gunpowder above *Blackwall*, on penalty of 2 *s.* per lb. for all above, and *Trinity House* may seize unlawful quantities, and prosecute in fourteen days. *Ibid.*

Not to extend to mills on the king's lands, or his storehouses, or the magazines at *Barking*, *Creeksmouth*, and *Eritb Level*, or those at *Liverpool* and *Bristol*, nor to powder carrying by the order of ordinance, expressing the quantity and time, or with forces on their march, or militia; and any quantity may be carried in close decked vessels below *Blackwall*. *Ibid.*

## Habeas Corpus.

**B**Y 31 *Car. 2. c. 2.* writs of habeas corpus shall be returned within three days after service, unless the commitment is for treason or felony, and the body brought, if within twenty miles; if beyond, and not above 100 miles, within ten days; and above 100 miles within twenty days. The gaoler is to have 1 *s.* per mile for travelling.

It may be granted in vacation time by any of the judges; but if persons neglect two terms to pray the same, they shall have none in vacation time under this act. *Ibid.*

Officers not obeying such writ, shall forfeit 100 *l.* to the party aggrieved, for the first offence, and 200 *l.* for the second; and persons enlarged by habeas corpus, shall not be recommitted, but by order of court. *Ibid.*

Persons committed for treason or felony, shall be indicted the next term, or let to bail, and be tried the term after, or be discharged on habeas corpus; but they are not thereby to be discharged out of prison, being charged in debt. *Ibid.*

Prisoners charged with any criminal matter, shall not be removed, but by habeas corpus; and no judge shall deny the same, on pain of 500 *l.*

It shall run into any county palatine, cinque port, or other privileged place, and the islands of *Jersey* or *Guernsey*. *Ibid.*

No subject shall be sent to any foreign prisons, on pain of 500 *l.* and a premunire; but this shall not extend to persons transported on contract, or conviction of felony. *Ibid.*

After the assizes proclaimed, no prisoner shall be removed by habeas corpus, but to be brought before the judge of assize; and persons



## Highways and Turnpikes. 279

sons committed as accessaries before, to petty treason or felony, shall not be removed, otherwise than before this act. *Ibid.*

### Harbours.

By 19 *Geo. 2. c. 22.* masters throwing out ballast in any harbour, but upon dry land only, justices may issue warrants, and, upon proof, fine them, not more than 5*l.* nor less than 50*s.*

Ships being stranded or sunk, in an harbour, and permitted to remain there, the justices may summon the owner, and, upon conviction, issue warrants for seizing and removing the ship.

### Heresy.

By 1 *Eliz. c. 1.* no act made by this parliament shall be deemed heresy. Commissioners may adjudge such things to be heresy, as are so declared by the scripture, the first four general councils, or the parliament, with assent of convocation.

By 29 *Car. 2. c. 9.* the writ *de heretico comburendo*, and all proceedings thereupon, to punishment by death, shall be abolished, saving other ecclesiastical censures.

## Highways and Turnpikes.

By 6 *Geo. 3. c. 43.* mortgagees of turnpikes in possession, and gatekeepers, shall account upon oath.

By 13 *Geo. 3. c. 78.* all the laws relative to the *highways* were reduced into one act, in manner following, viz.

Ten persons to be returned by the constable to the justices to be surveyors; and, refusing to serve, penalty 5*l.* and if not in the list 50*s.* but not to serve again in three years. *Ibid.*

If no list, justices may appoint surveyors, with a salary of not more than one eighth of a 6*d.* assessment, together with an inhabitant as assistant, which surveyor is to give security, or two thirds of the parishioners may elect a surveyor, with a salary, which the justices are to allow. *Ibid.*

No tree or bush to stand within fifteen feet of the centre of any highway, on forfeiture of 10*s.* and hedges to be cut low by the occupier, on penalty of 2*s.* per twenty-four feet, and to make ditches, on forfeiture of 10*s.* *Ibid.*

No stone, timber, straw, dung, or filth, to be laid in the highway, or within fifteen feet of the centre, or other obstruction or nuisance; and surveyor may make new ditches where necessary. *Ibid.*

Cartways to be twenty feet wide, and horseways eight, and justices may order highways to be widened or turned, and land to be purchased;

## 280 Highways and Turnpikes.

purchased; direction posts to be set up, on penalty of 20*s.* on the surveyor: materials may be taken where they can be found, and paid for by the surveyor, and pits made by him to be secured. *Ibid.*

Each person keeping a team with three horses, and occupying 50*l.* per ann. to do six days duty, with a carriage, two horses and two men, and the like for every other 50*l.* per ann. If under 50*l.* per ann. to send a cart and one man; other persons to pay 1*d.* per pound of their rent for each of the six days, and, keeping drawing horses, to send them, or pay 1*s.* for each day deficient; and labourers and others under sixty, renting 4*l.* per ann. to work six days, or pay 2*s.* three men in lieu of a team, or to pay 4*s.* 6*d.* per day for a team, and 2*s.* for a cart; and labourers to pay 4*d.* a day; and if duty and compositions are insufficient, surveyor may make an assessment of not more than 6*d.* per pound per ann; and surveyors accounts to be settled with the parish, and allowed by a justice. *Ibid.*

Damaging banks in highways, forfeiture not more than 5*l.* nor less than 10*s.* or imprisonment for one month, and not less than seven days. *Ibid.*

Waggons with wheels nine inches broad, may be drawn by eight horses, carts by five; wheels of six inches, waggons by seven horses, carts by four; wheels of less breadth, waggons by five horses, carts by three; penalty 5*l.* and not less than 10*s.* and forfeiture of all the horses above the number, drawing one stone, or the king's ammunition excepted; wheels sixteen inches broad, may be drawn by any number of horses; owners names to be put on all carriages let to hire; and drivers punishable by justices.

No alehouse on bridges where tolls are taken, and all incroachments on highways, to be taken down by the surveyor, and the offender to forfeit 40*s.* *Ibid.*

Surveyors and inhabitants shall be good witnesses; but this act does not extend to the parishes of *Saint Mary, Whitechapel*, and *Saint John, Wapping*, nor to abridge the powers of the commissioners of sewers. *Ibid.*

By 13 Geo. 3. c. 84. weighing engines are directed to be erected at turnpikes; waggons with four wheels, sixteen inches broad, may carry

			tons	cwt.
in summer,	—	—	8	0
— winter,	—	—	7	0
With nine inch wheels, rolling 16 inches, in summer,			6	10
— winter,			6	0
With 9 inch wheels, in summer,			6	0
— winter,			5	10
With 6 inch wheels, in summer,			4	5
— winter,			3	15
Rolling 11 inches, in summer,	—	—	5	10
— winter,	—	—	5	0
Less than 6 inch wheels, in summer,			3	10
— winter,			3	0
				Carts

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		tons	cwt.
Carts with 9 inch wheels, in <i>summer</i> ,	—	3	0
— <i>winter</i> ,	—	2	15
Six inch ditto, in <i>summer</i> ,	—	2	12
— <i>winter</i> ,	—	2	7
Less than 6 inches, in <i>summer</i> ,	—	1	10
— <i>winter</i> ,	—	1	7

From 1 *May* to 31 *October*, to be deemed *summer*, and *winter* the rest of the year; forfeiture for over weight 20*s.* per cwt. and the driver, for refusing to be weighed, 40*s.* *Ibid.*

Every turnpike having a weighing engine in one year, to be continued five years beyond the present term. *Ibid.*

Not to extend to carriages used in husbandry, and no composition with carriages having less than six inch wheels. *Ibid.* *This act extended (except the parts repealed) to all turnpikes in England, and to all acts made since.* 21 Geo. 3. c. 20.

No side toll gate to be erected without an order made at a public meeting, on notice, and signed by nine trustees; nor any toll paid for passing less than 100 yards on the road, except over a bridge. 13 Geo. 3. c. 84.

By 14 Geo. 3. c. 57. the 13 Geo. 3. 84. as to taking additional tolls of 20*s.* per cwt. for over weight, and as to waggons permitted to be drawn by an unlimited number of horses, *repealed*, and to take for over weight,

		<i>l.</i>	<i>s.</i>	<i>d.</i>
For the first and second hundred, per hundred,		0	0	3
To the fifth, per hundred,	—	0	0	6
To the tenth, per hundred,	—	0	2	6
To the fifteenth, per hundred,	—	0	5	0
For all above, per hundred,	—	0	20	0

No carriages employed in husbandry to be weighed, and tolls for over weight may be lowered within ten miles of *London*. *Ibid.*

Waggons on rollers of sixteen inches, to be toll free for five years, and after to pay half toll. *Ibid.*

By 16 Geo. 3. c. 39. the 13 Geo. 3. c. 84. relating to flat tires *repealed*, and all wheels six inches broad, and the fellies or tire not deviating above one inch from flat, deemed flat.

And the same act, relating to double tolls on narrow wheels, suspended till *September* 29, 1778, and all lessees of tolls, released at the end of the current year, if required. *Ibid.* c. 44. and 18 Geo. 3. c. 28.

By 17 Geo. 3. c. 16. exemption of cattle going to water or pasture, to extend only to cattle from one parish to the next adjoining, and not passing more than two miles on the turnpike road, nor to exempt other cattle liable to toll.

By 18 Geo. 3. c. 63. trustees may meet and act, though they had neglected to adjourn regularly, and carriages with army baggages, are exempted from tolls, and not liable to be weighed.



## Holy Days and Fasting Days.

The 3 *Jac.* 1. c. 1. directs a public thanksgiving to be made in all places of divine worship on the fifth day of *November* yearly.

By 1 *Car.* 1. c. 1. there shall be no assemblies for unlawful pastimes on the Lord's-day, on pain of 3 s. 4 d. to the poor.

By 3 *Car.* 1. c. 2. a carrier that travels on the Lord's day, shall forfeit 20 s. and butchers that sell or kill victuals upon that day, shall forfeit 6 s. 8 d. to the poor.

The 12 *Car.* 2. c. 14. and c. 30. directs a perpetual anniversary thanksgiving on the 29th of *May*, in all places of divine worship; and a yearly humiliation on the 30th *January*.

By 29 *Car.* 2. c. 7. no person shall exercise his business, nor shall any cry or expose to sale wares on the Lord's-day, works of necessity or charity excepted, on pain of 5 s. in the first case, and forfeiture of the wares in the second.

No drover, waggoner, butcher, or higgler, shall travel on the Lord's-day, on pain of 20 s. nor shall any boat or barge, on pain of 5 s. *Ibid.*

The penalties go to the poor; and the act does not restrain dressing meat in families, in inns, cook shops, or victualling houses, or the selling milk out of church time. *Ibid.*

No hundred shall be answerable for any robbery committed on persons travelling on the Lord's-day; but nevertheless shall make fresh suit after the offender. *Ibid.*

All writs and process executed on a *Sunday*, shall be void, and the party liable to damages. *Ibid.*

By 21 *Geo.* 3. c. 49. houses opened for public amusement, or debate on *Sundays*, to which persons pay for admittance, are deemed disorderly houses, and the keeper shall forfeit 200 l. each *Sunday*, and the president 100 l. and the door-keeper 50 l. to the prosecutor.

Persons acting as master or mistress, deemed the owner, and joint-owners, each liable to the whole penalty; and if refreshments are sold for more than on other days, or houses are opened by subscription for debate, they shall be liable. *Ibid.*

Advertising the same, 50 l. penalty, to be recovered by action in six months; but this act is not to affect the ecclesiastical courts; but offenders may also be punished there; nor to affect the toleration act. *Ibid.*

## Hops.

By 1 *Jac.* 1. c. 18. any person importing into this realm hops corrupted or mixed with dirt, shall forfeit the same, and every person buying the same, or brewing ales or beer with such hops, shall forfeit the value thereof.

By 7 *Ge.* 2. c. 19. the penalty on adulterating hops, is 5 l. per cwt.

Hops.

## Horses.

By 11 *Hen. 7. c. 13.* no horse shall be exported without the king's licence, nor mare above the value of 6*s.* 8*d.*

By 27 *Hen. 8. c. 6.* persons having inheritance or freehold in a park, and a mile about, shall keep two mares apt to bear foal, thirteen hands high, on pain of 40*s.* a month: and they are not to suffer them to be leaped by horses under fourteen hands high, on pain of 40*s.* But this does not extend to *Westmoreland, Cumberland, Northumberland, or Durham.*

By 32 *Hen. 8. c. 13.* stone horses put into commons, being above two years old, shall be fifteen hands high; and those of less size may be seized by any person for his own use: refusing to be present at the measuring, is a penalty of 40*s.* Commons shall be driven yearly at *Michaelmas*, or within fifteen days after, on pain of 40*s.* and putting diseased horses into commons is a forfeiture of 10*s.* But by 8 *Eliz. c. 8.* stoned horses of thirteen hands high may be put in the commons and fens in *Cambridgeshire, Huntingdonshire, Lincolnshire, and Norfolk.*

By 1 *Ed. 6. c. 5.* no horse or mare shall be exported without the king's license, on forfeiture thereof, and of 40*l.* and no mare shall be exported exceeding 10*s.* in price.

By 2 & 3 *Phil. & Mar. c. 7.* all horses shall be sold in the open place appointed in a fair or market from ten o'clock till sunset; shall be tolled in the presence of the parties, and their names and places of abode shall be registered in a book by the toll taker, which is to be given to the owner of such fair or market within a day after, on pain of 40*s.* in every case.

The owner's property in a horse stolen shall not be altered by sale in a fair, unless the horse continued an hour therein, and was registered, for which the buyer is to pay 1*d.* *Ibid.*

Stolen horses sold contrary hereto may be seized by the owner, and justices of peace may determine offences. *Ibid.*

By 31 *Eliz. c. 12.* sellers of horses in fairs or markets must be known to the toll taker, or some other person who will testify his knowledge of him, which is to be entered in a book, and sale made otherwise shall be void.

The owner of a horse stolen, notwithstanding such sale may redeem the same, upon payment or tender of the price within six months after stolen. *Ibid.*

By 21 *Jac. 1. c. 28.* the 32 *Hen. 8. c. 13.* shall not extend to *Cornwall.*

By 13 *Geo. 2. c. 19.* no person shall enter any horse for any prize, but the owner, nor more than one.

No plate to be run for under 50*l.* value, on penalty of 200*l.* *Ibid.*

Race to be begun and ended the same day. Horse matches to be at *Newmarket* and *Black Hambleton* only, and not for less than 50*l.* *Ibid.*

But by 18 *Geo. 2. c. 34.* horses may run any match for the real value of 50*l.* at any weights, and at any place whatsoever.

By

By 26 Geo. 3. c. 71. every person keeping a place for slaughtering horses, geldings, mares, mules, asses, bulls, oxen, cows, heifers, sheep, hogs, goats, or other cattle not killed for butcher's meat, shall take out a license at the quarter sessions; but must produce a certificate from the parish where he resides testifying his ability, and the representatives of such licensed person, after his death, may act under such license till the next sessions.

Persons licensed shall affix to their houses *licensed for slaughtering horses, pursuant to an act passed in the 26th year of his majesty king George the Third.* *Ibid.*

Six hours previous notice shall be sent, when horses or cattle are intended to be slaughtered, to the inspector, who is to take an account of the beasts, and none shall be slaughtered but in the day-time. *Ibid.*

An account shall be kept by the owners of slaughtering houses of the owners of the cattle, which may be inspected. *Ibid.*

Inspectors are to be chosen annually by the parishioners; they are to enter in a book a particular account of all cattle slaughtered, for each of which entries they are to be paid 6d. by the slaughterman; and persons searching are to pay 6d. a time. They are to affix over their doors their names, and the words, *Inspector of Houses and Places for slaughtering Horses.* If the inspector suspects any animal to be stolen, he may prohibit the killing it eight days, and in the meantime he is to describe and advertise it twice publicly; the expences whereof are to be paid by the slaughterman. *Ibid.*

Inspectors may visit slaughtering-houses at all times; if at night, with a constable. *Ibid.*

Persons bringing cattle refusing to give an account of themselves, may be carried before a justice, who may, on suspecting such persons, commit them. *Ibid.*

Persons slaughtering horses or cattle without license, are guilty of felony, and may be transported. *Ibid.*

Persons destroying hides shall be deemed guilty of a misdemeanor, and may be corporally punished. *Ibid.*

Persons making false entries shall be liable to a penalty of 20l. and not less than 10l. and persons lending houses for the purpose of slaughtering, unlicensed, incur a like penalty. *Ibid.*

This act is not to extend to curriers, fell makers, tanners or dealers in hides, or persons killing distempered or aged cattle for the hides or for dog meat; but such persons or collar makers, or farriers killing sound horses, shall be liable to a penalty of 20l. and not less than 10l. *Ibid.*

Inspectors books are to be produced at the quarter sessions, witnesses refusing to attend the justices, are to forfeit 10l. and parishioners shall be deemed competent ones. *Ibid.*

## Hospitals.

By 2. Hen. 5. c. 1. ordinaries shall inquire of and reform the foundation, estate, and government of hospitals.

By



By 14 *Eliz. c. 14.* all gifts, devises, and grants for the relief of the poor in any hospital shall be good.

By 39 *Eliz. c. 5.* any person may, by deed inrolled in chancery, erect and found an hospital to continue for ever, and place such heads as he thinks fit; and such hospital shall be incorporated and visited by such as the founder shall nominate. But all such hospitals must be endowed with tenements of 10 *l. per ann.* and their leases for above twenty-one years, must have the accustomed yearly rent reserved.

By 13 *Geo. 3. c. 82.* hospitals for lying-in women shall have a license from the quarter sessions, on a 5 *s.* stamp, and an inscription over the door.

Bastard children born there, not to be chargeable to the parish where the hospital stands, and the charges of removing the mother or child (within twenty miles of the hospital) to be paid by the parish where removed, and the parish where the woman is settled, may take up the father of a bastard child, and proceed as before this act. *Ibid.*

Master of the hospital to have women examined by a justice before admission, unless affidavit is produced whether she is married or single, as the case may be; and four days notice to be given to the parish before any woman delivered of a bastard child is discharged: and if not able to go out, she may be kept, but not more than six weeks. *Ibid.*

Master of the hospital not complying with the rules, to forfeit 50 *l.* and overseers 10 *l.* on action, in six calendar months. *Ibid.*

## Houses of Correction.

By 14 *Geo. 2. c. 33.* justices of peace shall have authority to enlarge houses of correction.

By 15 *Geo. 2. c. 24.* justices of a liberty or corporation may commit offenders to the county house of correction.

By 17 *Geo. 2. c. 5.* houses of correction, except those maintained by private founders, shall be under the management of the justices.

By 20 *Geo. 2. c. 19.* justices, upon oath of the master, complaining of misdemeanor against his apprentice, may commit such apprentice to the house of correction.

## Hundreds.

By 28 *Ed. 1. c. 14.* they shall not be letten too dear.

By 2 *Ed. 3. c. 12.* hundreds and wapentakes shall be annexed to the counties, and not let to farm.

By 4 *Ed. 3. c. 15.* sheriffs shall let their hundreds for the old farm.

By 22 *Geo. 2. c. 24.* no person shall recover in any action on statutes of hue and cry more than 200 *l.* unless at the time of the robbery there be two present to attest the truth thereof.

On judgment against the hundred, no writ of execution shall be levied on any inhabitant, but the sheriff shall produce the same to two justices, who shall cause a taxation. *Ibid.*

## Identitate Nominis.

By 37 *Ed.* 3. c. 2. this writ shall be granted upon the wrongful seizure of another's person, lands or goods, to recover double damages.

By 9 *Hen.* 6. c. 4. executors wrongfully molested by colour of any outlawry, may likewise maintain such writ.

## Ideots and Lunaticks.

By 17 *Ed.* 2. c. 9. the king shall have the custody and profits of ideots lands, without waste, finding them necessaries, so that they shall not aliene, nor their heirs be disinherited.

The king shall have the direction of lunatics lands, and shall take nothing to his own use, but the profits shall be delivered to them when of right mind. *Ibid.* c. 10.

By 4 *Geo.* 2. c. 10. ideots or lunatics seized of estates in mortgage, or in trust, may convey the same by order of the lord chancellor.

By 15 *Geo.* 2. c. 30. no lunatic shall marry, till declared of sane mind by the lord chancellor.

## Indictments.

By 37 *Hen.* 8. c. 8. indictments shall not be avoided by want of the words, *with force and arms.*

## Importation and Exportation.

By 12 *Car.* 2. c. 4. the penalty for not paying the old subsidy was forfeiture of goods, but merchant strangers shall be well intreated, and such whose goods be taken by pirates, or perish on the sea, may newly ship other goods to the amount of those lost without paying any duty; and goods shipped in carracks or gallies shall pay alien duties.

Herrings may be exported in *British* ships to the king's dominions free of duty. *Ibid.*

Qu. *Whether* 27 *Geo.* 3. c. 13. repeals the above clauses?

Gunpowder may be exported when it does not exceed 5 *l.* the barrel; but the king may, by proclamation, prohibit the transporting of gunpowder, arms and amunition out of *England.* *Ibid.*

By 25 *Car.* 2. c. 6. the merchants, whether denizens or aliens, shall pay no more on exporting the native commodities of this realm than the king's natural born subjects, except for coals or manufactures wrought in this kingdom or *Berwick*, and they shall pay no other

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other duties for fish caught by *English* ships, and exported in such ships with three fourths *English* seamen.

By 9 & 10 *Will.* 3. c. 23. wines landed in the outports, and afterwards brought to *London*, shall pay the whole duty due in the port of *London*.

By 3 *Geo.* 1. c. 4. and 5 *Geo.* 1. c. 18. confirmed by 27 *Geo.* 3. c. 13. goods of the produce and manufacture of *Jersey*, *Guernsey*, *Sark*, and *Alderney*, may be imported free (except exciseable goods).

By 1 *Geo.* 2. stat. 2. c. 17. wine lees imported shall pay the same duties as wine, and no drawback shall be allowed on exportation.

By 7 *Geo.* 2. c. 19. foreign hops landed in *Great Britain* or *Ireland*, before entry and duties paid, shall be burnt, the ships forfeited, and the importer shall pay 5 s. per pound.

By 9 *Geo.* 3. c. 39. raw hides and skins from *Ireland* and the *British American* plantations, may be imported duty free till June 1, 1791, by 27 *Geo.* 3. c. 36.

By 19 *Geo.* 3. c. 63. lime for the improvement of land may be carried from port to port, without giving any coquet or bond.

By 19 *Geo.* 3. c. 23. no drawback shall be allowed for any rum exported in a cask containing less than 100 gallons, or shipped as stores on board a vessel under 100 tons burthen, in force till April 1, 1788.

By 20 *Geo.* 3. c. 7. sugar or paneles from *British America* may be entered on payment of *British* plantation duties, without certificate.

By 21 *Geo.* 3. c. 21. goods, the produce or manufacture of the *Lewant* or *Mediterranean*, may be imported to *Great Britain* or *Ireland* from any place on payment of duties, as if from the place of growth, and of alien duty, if by nonfreemen of the *Turkey* company.

By 21 *Geo.* 3. c. 28. rum imported into the *Isle of Man* from *Scotland*, shall pay the same duties as rum imported from *England*.

By 21 *Geo.* 3. c. 32. no drawback shall be allowed on the exportation of foreign verdigrease.

By 21 *Geo.* 3. c. 40. from June 24, 1782. blue, called smalts, may be imported duty free, during the continuance of 29 *Geo.* 2. c. 15. 10 *Geo.* 3. c. 38. and 19 *Geo.* 3. c. 27. and an *Irish* act of 20 *Geo.* 3.

By 21 *Geo.* 3. c. 62. all drugs, the production of *Russia*, imported from thence in *British* built shipping, shall be deemed to be imported from the place of their growth. And sugars, the growth of *Demerary* and *Essequibo* may be imported into *Great Britain*, upon payment of the like duties, and under the like restrictions, as sugars of the *British* islands in the *West Indies*.

By 22 *Geo.* 3. c. 79. timber may be imported in foreign built ships, but shall be subject to aliens duties.

By 23 *Geo.* 3. c. 11. no currants shall be imported in any less package than five hundred weight, on penalty of forfeiture thereof, except currants, to be consumed on board.

A drawback of the whole duty of customs shall be allowed on the exportation of rice. *Ibid.* c. 56.

By



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By 23 *Geo. 3. c. 76.* no drawback shall be allowed on exportation of *British* refined sugar, unless packed in casks of six cwt. except exported to *Africa* or *America* in casks of 100 gallons. The exporter shall give bond, in treble the amount of the drawback, for the due exportation of such sugar; and all sugar so entered which shall not be exported, shall be forfeited with the vessel.

Persons assisting in unshipping or relanding thereof, shall forfeit treble the value. *Ibid.*

Bonds shall remain three years in the officers hands. *Ibid.*

The 26 *Geo. 3. c. 53.* continues 7 *Geo. 3. c. 12.* till 25th March, 1788, whereby tallow, hogs lard, and grease, unmanufactured, may be imported duty free.

By 27 *Geo. 3. c. 13.* from May 10, 1787; the then existing duties of customs, and the drawbacks were to cease; but the duties on package, scavage, bailage, or portage, payable to the city of *London*, or any other city, were not altered; nor were the prize of wines, the duty of butlerage, or the duty of 12 *d.* per chaldron on sea coal exported from *Newcastle* upon *Tyne* to any other ports of this realm, or any special privileges or exemptions repealed.

From May 10, 1787, the duties contained in the following tables are to be levied, and the drawbacks therein allowed, in lieu of those which are to cease; but the drawbacks shall not be allowed except the goods be properly entered for exportation, and actually shipped within three years from their importation, nor unless they are claimed in two years after so shipped. *Ibid.*

The duties and drawbacks shall be under the management of the commissioners of customs in *England* and *Scotland*, respectively, and shall be levied and allowed in like manner as the old duties, and the penalties for offences against any acts in force on May 10, 1787, for securing the revenue, are extended to this act, unless hereby altered. *Ibid.*

The acts then in force relative to the customs shall so remain, unless hereby altered. *Ibid.*

*British* built ships, or prizes lawfully condemned, owned, navigated, and registered according to law, and none other shall be deemed *British* built. *Ibid.*

Goods permitted to be entered, duty free, by acts in force, on May 10, 1787, shall not be subject to duty, unless charged hereby; and no drawback shall be granted unless allowed by acts in force on May 10, 1787. *Ibid.*

No goods shall be imported or exported contrary to acts in force on May 10, 1787, unless hereby permitted; and bonds may be given as heretofore for duties, except for coals which are to be paid for in ready money. *Ibid.*

But by 27 *Geo. 3. c. 32.* the duties on coals brought coastways may be secured by bond for payment of the duties within sixteen days; but if a person, who has entered into such bond, should be desirous of being bound again, before the first bond be discharged, he may be required, with three sureties, to give bond in the penalty of 4000 *l.* for due payment of the duties.

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All goods imported shall be entered at the custom house, and landed in the presence of an officer, except diamonds, jewels, fish *British* taken, and turbot and lobsters. 27 Geo. 3. c. 13.

If more than three dozens of bottles or ten gallons in cask of wine imported into any out-port, be carried therefrom to within 20 miles of *London*, without a certificate that the difference of the duties at *London* and the out-port is paid, the same shall be seized. *Ibid.*

But if wine so removing from an out-port to *London*, for which the duties have been duly paid, shall be staved, the owner shall be repaid the difference of the duties at the out-port, and at *London*. *Ibid.*

Goods imported by the *East India* company, from places within the limits of their charter, shall be subject to the duties in the table. *Ibid.*

The value of non-enumerated goods shall be ascertained, by the importer or proprietor making a declaration in writing, according to the form in the act, which shall bind as fully as if it had been made on oath; and if such goods be undervalued, they are to be taken for the use of the crown, paying to the proprietor for the same the entered value, with 10 per cent. thereon, and the duties paid; which goods so taken for the use of the crown, may be sold; and if they produce more than all costs and charges, a moiety of the overplus may be given to the officers who examined them. *Ibid.*

There is a similar clause in respect to goods which may be exported chargeable with duties according to their value.

Collectors of the customs shall account for money received for sale of goods undervalued, as for duties granted by this act. *Ibid.*

The portage to masters of ships shall cease. *Ibid.*

From May 10, 1787, to May 10, 1800, the articles therein enumerated, and in the following table named *French*, may be imported from the *European* dominions of the *French* king, on paying the duties specified in the tables. *Ibid.*

Cambricks or *French* lawns may be imported, worn, or sold, and those legally imported for exportation, before May 10, 1787, may be received into the custody of the owners, on paying the duties imposed by this act, and cambricks seized before the same day, may be sold for home consumption: but cambricks imported in ships of less than sixty tons burthen, and in bales not containing the quantity of 100 pieces, and *French* wines in packages, containing less than three dozen quarts, shall be forfeited. *Ibid.*

The commissioners of customs, may settle the accounts of the collectors or receivers, who have applied money belonging to one branch of the revenue to another. *Ibid.*

The *East India* company shall pay at the times they become due by law, their duties to the receiver general of the customs, whose receipt shall be received as cash by the collector. *Ibid.*

Duties collected in the port of *London* shall be paid to the receiver general on the days they are received. *Ibid.*

Monies due on debentures for drawbacks or premiums, if due in *London*, shall be paid by the receiver general. *Ibid.*

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Such debentures not due in *London*, may be paid by the respective collectors at the out-ports. *Ibid.*

This act shall not alter or affect any bounty, or premium, payable out of the customs. *Ibid.*

Fish caught by any vessels built in his majesty's dominions, and manned by his majesty's *European* subjects, may be imported duty free. *Ibid.*

If goods on which duties are payable according to weight, tale, gauge, or measure, be damaged on the voyage, a proportionable allowance shall be made out of the duties. *Ibid.*

Goods shall continue to be laden and unladen, and the officers of the customs shall attend at the same hours, and the same fees shall be received as now established by law. *Ibid.*

The duties and drawbacks on specific quantities of goods shall apply proportionably to any less quantities. *Ibid.*

### THE NEW TABLE OF RATES,

ACCORDING TO 27 GEO. 3. C. 13.

Inwards.	Duty.	Drawback
A.	£. s. d.	£. s. d.
<b>A</b> GATES, rough, small as a bean, the 100 doz.	3	2 8
—, —, large, the piece	1 ½	1
Allum, the cwt.	7 2	6 2
Amber, the lb.	1 3	1 1
—, imported by the East India comp. lb.	1 5 ½	1 3
Annotto, the lb.	—	—
Apples, the bushel	2 4	4
— dried, the bushel	3	4
Argoil, the cwt.	2 7	—
Ashes, pearl, the cwt.	2 3	—
— Pot the cwt.	2 3	—
— pearl and pot ashes made in British America, free by 24 Geo. 2. c. 51.	—	—
— soap, weed and wood ashes, the cwt.	7	—
<b>B</b> ACON, the cwt.	2 7	6 4
— from Ireland, free by 8 Geo. 3. c. 9. and 16 Geo. 3. c. 8.	—	—
Balls, washing, the lb.	6	—
Barilla, the cwt.	5 3	5
Basket rods, the bundle, 3 feet about the band	1 6	1 4
Baskets hand, the doz.	9	8
Bast ropes, the cwt.	1 10	—
Battery, the cwt.	2 5 2	2 8
Beads, amber, the lb.	4 5	4 2

Beads,



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Inwards.	Duty.	Drawback
	£. s. d.	£. s. d.
Beads, chryſtal, the thouſand —	13 3	11 8
—, coral, the lb. —	4 5	4 2
—, jet, the lb. —	1 5	1 3
Beef ſalt from Ireland, <i>free</i> by 8 Geo. 3. c. 9. and 16 Geo. 3. c. 8. —		
Beer, <i>French</i> , for every 100l. value —	30	
—, ſpruce, the barrel, 32 gallons —	12	11
—, other ſorts, or ale, the barrel —	6 8	6
<i>Beer is ſubject to exciſe duties alſo.</i>		
Beil metal, the cwt. —	7 4	6 6
Berries for dyers, not enumerated, the cwt. —	11	
Birds, ſinging, the dozen —	2 6	2 3
Blacking, the cwt. —	17 8	15 8
Bladders, the dozen —	1 ¼	1
Books bound, the cwt. —	19 3	
— unbound, the cwt. —	8 10	
Botargo, the lb. —	4	3
Bottles of earth or ſtone, the doz. —	1 2	1
— glaſs, full or empty, the doz. quarts —	4 5	
— covered with wicker, the doz. quarts —	12	7 7
Bowls or buckets of wood, the doz. —	11	10
Boxes neſt, the groſs 144 neſts, 8 each —	13 3	11 8
— pill, the groſs, 12 doz. neſts, 4 each —	1 4½	1 3
— ſand, the groſs 144 boxes —	4 5	3 11
Bracelets, or necklaces of glaſs, the groſs, 12 bundles, each 10 necklaces —	3 8	3 6
Bread or biſcuit, the cwt. —	1 10	1 8
Brimſtone, the cwt. —	6 8	6 6
— for making oil of vitriol, by 23 Geo. 3. c. 77, and 26 Geo. 3. c. 53. —		6 8
Brittles, viz. dreſt, the dozen lb. —	2 9	2 6
— dreſt of Muſcovy or Ruſſia, imported in a foreign ſhip, the 12 lb. —	2 11	2 6
— rough or undreſt, the doz. lb. —	1 4½	1 3
— rough or undreſt of Muſcovy or Ruſſia, imported in a foreign ſhip, the doz. lb. —	1 6	1 3
Brooms, ſlag or whiſk, the doz. —	1 ¼	1
Bugle great, the lb. —	1 7	1 6
— to be warehouſed, the lb. —	1	
— when taken out to be uſed in this kingdom, the lb. —	1 6	
— ſmall or ſeed, the lb. —	2 7	2 5
— to be warehouſed —	2	
— when taken out to be uſed in this kingdom, the lb. —	2 5	
Bullion or foreign coin of gold or ſilver, <i>free</i> —		
Bulruſhes, the load, 63 bundles. —	4 5	3 11
Burrs for millſtones, the 100 —	11	9 9

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Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Butter, the cwt. — —		2	6		2	2
— salted, from Ireland, <i>free</i> by 8 Geo. 3. c. 9. and 16 Geo. 3. c. 8.						
C.						
Cabinet ware, turnery, and musical instruments, <i>French</i> , imported directly into Great Britain, every 100 <i>l.</i> value —	10					
Cables tarred or untarred, the cwt. —		8	6			
Calves velves for rennet, the cwt. —		5	6		5	
Candles, tallow, the cwt. —	1	12	8			
—, spermaceti, the lb. —		1	4			
—, wax, the lb. —		1	8			
— imported by the East India comp.		1	9			
Candlewick, the cwt. — —	1	12	8	1	8	
Canes, reed, the 1000 — —	1	1			9	9
—, walking, the 1000 — —	1	18	6	1	17	3
— imported by the East India company, the 1000 — —	2	1	3	2		
— rattans, the 1000 — —	16	6			15	3
— imported by the East India company, the 1000 — —	19	3			18	
Cans of wood, the doz. — —		11			10	
Capers, the lb. — — —			2			1
Cards, playing, the 12 packs — —	1	1				
Carpets, of Persia, imported by the East India company, the square yard —	1	4	9	1	3	7
— Turkey, containing 4 yards square or upwards, the carpet — —	2	4		2		
— of Turkey, containing less than 4 yards square, the carpet — —		8	3		7	6
Casks empty, the ton — —		8	3		7	6
Catlings, the gros, 12 doz. knots —		2	6		2	2
Cattle from Ireland, <i>free</i> by 5 Geo. 3. c. 10. and 16 Geo. 3. c. 8.						
Caviare, the cwt. — —		4	5		3	11
Cheese, not of Ireland, the cwt. —		1	6			
Cherries, the cwt. — —		4	5		3	11
Cyder, the ton, containing 252 gallons <i>Subject also to the duty of excise.</i>	6	3	3	5	3	3
Cloths all kind of woollen, the yard —	1	17	5	1	13	1
Coals, the chalders, containing 36 bushels	1	1				
Cochineal, the pound — —			6			
Cocoa nuts, the produce of British colonies in America, the cwt. — —		13	9		13	9
— of any other country, the cwt. —		13	9		12	6
— of the produce of any British plantation in America, on importation, to be secured in warehouses, the cwt. —		1	3		1	3

Cocoa

# Importation and Exportation. 293

<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback.</i>		
	£.	s.	d.	£.	s.	d.
Cocoa of any other country, to be secured in warehouses, the cwt. — —	1	3				
— taken out of warehouses for home consumption, the cwt. — —	12	6				
Coffee of the produce of any British plantation in America, the cwt. —	1	18	6	1	18	6
— of any other country, the cwt. —	1	18	6	1	15	
— of any British colony in America, to be secured in warehouses, the cwt. —	3	6		3	6	
— of any other place, to be secured in warehouses, the cwt. —	3	6				
— taken out of such warehouse for home consumption, the cwt. —	1	15				
Comfits, the pound — —		6				5
Copper, ore, the cwt. — —		9				7
— unwrought, viz. copper bricks, rose copper, copper coin, and cast copper, the cwt. — —	10	6		10	3	
— unwrought, viz. copper in plates, the cwt. — —	16			15	9	
— part wrought, viz. bars, rods, or ingots, hammered or raised, the cwt. —	2	2		1	17	2
Copperas, green, the cwt. — —	1	8				
Cordage, the cwt. — —	8	6				
Cork, the cwt. — —	3	8		3	3	
Corks ready made, the gross, 12 doz. —		6			5	
Corn and grain, viz. <i>barley</i> , whenever the price at the place of importation shall be under 24 s. per quarter, the quarter containing 8 bushels — —	1	2		14		
— at or above 24 s. per quarter —		2				
— <i>Beans</i> , under 32 s. per quarter —	1	2		14		
— at or above 32 s. per quarter —		3				
— <i>Beer or big</i> , under 24 s. per quarter —	1	2		14		
— at or above 24 s. per quarter —		2				
— <i>Indian corn or maize</i> , whenever the price of barley shall be under 24 s. per quarter —	11			7		
— whenever the price of <i>barley</i> shall be at or above 24 s. per quarter —		1				
— <i>Oats</i> , under 16 s. per quarter. —	6	7		3	11	
— at or above 16 s. per quarter —		2				
— <i>Pease</i> , under 32 s. per quarter —	18	4		10	4	
— at or above 32 s. per quarter —		3				
— <i>Rye</i> , under 32 s. per quarter —	1	2		14		
— at or above 32 s. per quarter —		3				
— <i>Wheat</i> , under 48 s. per quarter —	1	4	3	16	3	
— at or above 48 s. per quarter —		6				



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Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.		
Wheat-flour, under 48 s. per quarter	1	4	3		16	3		
— whenever the price of wheat shall be at or above 48 s. per quarter, the cwt. containing 112 pounds.			2					
<i>See title corn and grain.</i>								
Cotton manufactures, including hosiery, (French) imported directly into Great Britain, for every 100 l. of the value thereof	12							
— if printed or stained, subject also to a duty of excise								
— not otherwise particularly enumerated or described, for every 100 l. of the value thereof	44				41	10		
Cucumbers pickled, the gallon			9				7	$\frac{1}{2}$
Culm, the chaldcr, containing 36 bushels		15	9					
Cuttle bones, the thousand		5	11		5	3		
Cynders, the chaldcr, containing 36 bushels		10	6					
D.								
DIAMONDS, pearls, rubies, emeralds, and all precious stones and jewels, except garnets, duty-free								
Dice, for every pair		12	6					
Dimity, plain white, imported by the East India company, the yard		1	6		1	5		
— and besides for every 100 l. of the value, according to the price at which the same shall be sold at the sales of the East India company	16	10						
— if exported to Africa					16	10		
— if exported to the British colonies in America					11	15		
— to any other places, if the said goods shall have been printed, stained, painted, or dyed in this kingdom					16	10		
— to any other parts or places, without having been printed or dyed in this kingdom					14	10		
Down, the pound			6				5	
— of Muscovy or Russia, imported in a foreign ship, the pound			7				5	
Drugs called	{		9				6	
	{		2				1	$\frac{1}{2}$
	{		2				1	$\frac{1}{2}$
	{		1	$\frac{1}{2}$			1	
	{		4	8			2	
	{		3				5	$\frac{1}{2}$
	{		8				8	
Alkermes syrup, the pound		1						

Alkanet

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	Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Alkanet roots, the pound — —			3						2
Almonds bitter, the cwt. — —	14						9		4
Aloes hepatica, the pound — —			6						4
Aloes succotrina, from the place of its growth, or by the East India company, the pound — —		1	2						9
— from any other place, the pound — —		3	6				2		4
Alum roch, the cwt. — —		3					2		
Alumen plume, the pound — —			1						0 $\frac{1}{4}$
Ambergris, black or grey, oz. troy — —		2					1		4
Ambra liquida, the pound — —		2	6				1		8
Ameos seeds, the pound — —			2						1 $\frac{1}{2}$
Amomi seeds, the pound — —			2						1 $\frac{1}{2}$
Anacardium, the pound — —			9						6
Angelica, the pound — —			2						1 $\frac{1}{2}$
Antimonium crudum, the cwt. — —		4	8						
Antimonium præparatum, or stibium, the pound — —			1						0 $\frac{3}{4}$
Aqua fortis, the cwt. — —		4	8						
Argentum sublime, or quicksilver, the pound — —			8						6
Aristolochia, the pound — —			3						2
Arsnick, white or yellow, or rosafgar, the cwt. — —		4	8						
Asarum roots, the pound — —			3						2
Aspalathus, the pound — —			2						1 $\frac{1}{2}$
Asafœtida, from the place of its growth, or by the East-India company, the lb. — —			3						2
— from any other place, the pound — —			9						6
Auriculæ Judæ, the pound — —			3						2
Baccæ Alkekengi, the pound — —			3						2
Balaustium, the pound — —			3						2
Balsam artificial and natural, the pound — —		1	6				1		
Balsam, viz. Canada balsam, the pound — —			3						2
Balsam copaivæ, or copaiba, the pound — —			9						6
Barbadoes tar, the pound — —			1						0 $\frac{3}{4}$
Barley hulled, or pearl barley, the cwt. — —		8	10				6		
Bayberries, the cwt. — —		4	8						
Bedellium, from the place of its growth, or by the East India company, the pound — —			3						2
— from any other place, the pound — —			9						6
Ben-album, or rubrum, the pound — —			5						3 $\frac{1}{2}$
Benjamin, the pound — —			6						4
Bezoar stones, of the West Indies, oz. troy — —			9						6
— imported by the East India company — —		2	6				1		8
Bitumen Judaicum, the pound — —			2						1 $\frac{1}{2}$
Black lead, the cwt. — —		6	8				4		5

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	Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Bolus communis, or armoniacus, the cwt.	3	6			2	4			
Bolus verus, or fine bole, the pound			2			1½			
Borax in paste or unrefined, the pound			3			2			
Borax refined, the pound — —	1					8			
Calamus, the pound — —			2			1½			
Cambogium, or gutta gambæ, the pound			6			4			
Camphire refined, from the place of its growth, or by the East India company, the pound — — —			8			5½			
— from any other place, the pound	2				1	4			
— unrefined, from the place of its growth, or by the East India company, the pound — — —									
— from any other place, the pound	1		4			2½			
Cancrorum oculi, or crab's eyes, the lb.			6			4			
Cantharides, the pound — — —	1					8			
Capita papaverum, the thousand —	1		8		1	1			
Cardamoms, the pound — —			9			6			
Carlina, the pound — —			3			2			
Carpo balsamum, the pound —			9			6			
Carrabe, or succinum, the pound —			3			2			
Carraway seeds, the cwt. — —	5				3	4			
Carthamus seeds, the pound —			2			1½			
Cassia buds, the pound —			4			2½			
Cassia fistula, the pound — —			3			2			
Cassia lignea, the pound — —			4			2½			
Castor oil, the gallon — —	2				1	4			
Castorum, or beaver cods, the pound	2				1	4			
Cerussa, the cwt. — — —	7				4	8			
Cetrach, the pound — —			3			2			
Chamæpitys, the pound — —			2			1½			
Chelæ cancrorum, the pound —			1			0½			
China roots, from the place of its growth, or by the East-India company, the lb.						3½			
— from any other place, the pound	1		5			10			
Cinabrium, or vermillion, the pound			3			4½			
Cinnabaris nativa, the pound —	1		7			8			
Ciperi nuces, the pound — —			2			1½			
Ciperus, the cwt. — — —	7				4	11			
Citrago, the pound — —			3			2			
Civet, the ounce troy — — —	2				1	4			
Coculus Indiæ, from the place of its growth, or by the East India company, the pound — — —						3½			
— from any other place, the pound	1		5			10			
Colophonias, the cwt. — —	3		3		2	2			

Coloquintida



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	Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Coloquintida, from the place of its growth, or by the East India company, the lb.			6						4
— from any other place, the pound	1		6				1		
Columbo root, the pound — —			6						4
Copperas blue, the cwt. — —	2		4						
Copperas white, the cwt. — —	4		8						
Coral white or red for physical uses, in fragments, the pound — — —			3						2
Coral whole, unpolished, the pound	1		6				1		
Coral whole, polished, the pound	3						2		
Coriander seeds, the cwt. — —	4		5				2		11
Cornu cervi calcinatum, the pound —			3						2
Cortex cariophyllorum, the pound —			2						1½
Cortex Elætheriæ, the cwt. — — —	9		6				6		4
Cortex Guaiaci, the cwt. — — —	13		3				8		10
Cortex limonum, vel aurantiorum, the lb.			1						0¾
Cortex peruvianus, or jesuits bark, the lb.			9						6
Cortex simarouba, the pound — —			3						2
Cortex tamarisci, the pound — —			2						1½
Cortex winteranus, the pound — —			2						1½
Costus dulcis et amarus, the pound —			4						2½
Cowage, the pound — — —			4						2¾
Cream of tartar, the cwt. — —	4		8						
Crystal in broken pieces, the pound —			3						2
Cubebs, the pound — — —			2						1½
Cummin seeds, the cwt. — — —	7		4				4		11
Cuscuta, the pound — — —			3						2
Cyclaymen, or panis porcinus, the pound			3						2
Daucus Creticus, the pound — —			3						2
Dens equi marini, the pound — —			3						2
Diagredium, or scammony, from the place of its growth, or by the East India company, the pound — — —	2		6				1		8
— from any other place, the pound	7		6				5		
Diptamus leaves and roots, the pound			3						2
Doronicum, the pound — — —			6						4
Eborus rasuræ, the pound — — —			1						0¾
Eleborus, the pound — — —			1½						1
Epithymum, the pound — — —			3						2
Essence of lemons, the pound — —	2						1		4
Euphorbium, the pound — — —			2						1½
Fechia Brugiata, the cwt. — — —	3						2		
Fennel seeds, the pound — — —			1½						1
Fenugreek, the cwt. — — —	3		4				2		3
Flores chamæmeli, the pound — —			1½						1
Flores meliloti, the pound — — —			1½						1
Folium Indiæ, the pound — — —			6						4

# 298 Importation and Exportation.

	<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback</i>		
		£.	s.	d.	£.	s.	d.
Drugs called	Fox lungs, the pound — —			8			5½
	Frankincense, the cwt. — —	4		8	3		2
	Galanga, from the place of its growth, or by the East India company, the pound			2			1½
	— from any other place, the pound			6			4
	Galbanum, from the place of its growth, or by the East India company, the lb.			4			2½
	— from any other place, the pound	1					8
	Gentiana, the pound — —			1			0½
	Ginseng, the pound — —			8			5½
	Grana tinctorum, the pound —			9			6
	Granadilla peruviana, the pound			9			6
	Green ginger, the pound — —			6			4
	Guinea pepper, the pound —			3			2
	Gum animi, the pound — —			3			2
	Gum arabic or gum senega, the cwt.			6			
	Gum senega, imported from Europe, the cwt. — — — —	12	11				
	Gum armoniac, from the place of its growth, or by the East India company, the pound — — —			4			2½
	— from any other place, the lb.	1					8
	Gum Carannæ, the pound — —			9			6
	Gum copal, the pound — —			8			5½
	Gum elemi, the pound — —			2½			1½
	Gum guaiaci, the pound — —			9			6
	Gum hederæ, the pound — —			9			6
	Gum lac, viz. cake lac, the pound —			1			0½
	Gum shellac, or seed lac, the pound			2			1½
	Gum sticklac, the pound. —			1			
	Gum opoponax, from the place of its growth, or by the East India company, the pound — — —	1		4			11
	— from any other place, the pound	4			2		8
	Gum sandrake or juniperi, the cwt.	7			4		8
	Gum sarcocolla, from the place of its growth, or by the East India company, the pound — — —			4			2½
	— from any other place, the pound	1					8
	Gum serapinum, or segapenum, from the place of its growth, or by the East India company, the pound — —			4			2½
	— from any other place, the pound	1					8
	Gum tacamahaca, the pound —			9			6
	Gum tragacanth, from the place of its growth, or by the East India company, the pound — —			3			2
							Gum

# Importation and Exportation. 299

	Inwards.	Duty.			Drawback.		
		£.	s.	d.	£.	s.	d.
Drugs called	Gum tragacanth, from any other place, the pound — —			9			6
	Hermodactylus, the pound —			3			2
	Horn of harts or stags, the 800 horns	6		8	4		5
	Hypocistis, the pound — —			5			3½
	Jalap, the pound — —			9			6
	Ireos, the cwt: — —	14			9		4
	Ilinglafs, the pound — —			2			1½
	Jujubes, the pound — —			2			1½
	Juniper berries, the cwt. —	4		5	3		3
	Labdanum, or lapadonum, the pound —			3			2
	— if not imported directly from the place of its growth, the pound			9			6
	Lapis calaminaris, the cwt. —	3		8			
	Lapis contrayervæ, the ounce —			9			6
	Lapis hæmatitis, the pound —			2			1½
	Lapis hibernicus, the cwt. —	6		4	4		2
	Lapis hyacinthi, the pound —			6			4
	Lapis judæicus, the pound —			3			2
	Lapis lazuli, the pound —			6			4
	Lapis magnētis, the pound —			3			2
	Lapis nephriticus, the pound —			6			4
	Lapis ostiocola, the pound —			2			1½
	Lapis rubinus, the pound —			3			2
	Lapis sapphirus, the pound —			3			2
	Lapis smaragdus, the pound —			3			2
	Lapis spongiæ, the pound —			3			2
	Lapis topagæ, the pound —			3			2
	Lapis tutiæ, the pound —			3			2
	Lavender flowers, the pound —			4			2¼
	Leaves of roses, the pound —			3			2
	Leaves of violets, or flowers, the pound			2			1½
	Lentiles, the pound — —			0½			0¼
	Lignum aloes, the pound —			6			4
	Lignum asphaltum, the pound —			2			1½
	Lignum nephriticum, the pound			6			4
	Lignum rhodium, the cwt. —	7			4		8
	Litharge of gold, the cwt. —			10			7
	Litharge of silver, the cwt. —			8			5½
	Lupines, the cwt. — —	2		4	1		7
	Lyntiscus, or xylobalsamum, the pound			3			2
	Madder roots, the cwt. —	4		8			
	Manna, the pound —			6			4
	Marmalade, the pound —			3			2
	Mastich red, from the place of its growth, or by the East India company, the pound			3			2
	— from any other place, the pound			9			6

Mastich



# 300 Importation and Exportation.

	Inwards.			Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Mastich white, from the place of its growth, or by the East India company, the lb.			6						4
— from any other place, the pound		1	6				1		
Mechoacana, the pound —			6						4
Mercury precipitate, the pound			9						6
— sublimate, the pound			9						6
Millium solis, the pound —			2						1½
Mirabolanes condited, from the place of its growth, or by the East India company, the pound						2			1½
— from any other place, the pound			6						4
Mirabolanes dry, from the place of its growth, or by the East India company, the pound						1			0¾
— from any other place, the pound			3						2
Mithridate Venetiæ, the pound —	1		6				1		
Mother of pearl shells, rough, the pound			4						2¾
Musk, the ounce troy —	2						1		4
Myrrha, from the place of its growth, or by the East India company, the pound			6						4
— from any other place, the pound	1		6				1		
Myrtle berries, the pound —			2						1½
Nardus celtica, or spica romana, the cwt.	9		4				6		2
Nitrum, the pound —			5						3½
Nutmegs condited, the pound —		10							7
Nux de ben, the pound —			2						1½
Nux cupressi, the pound —			2						1½
Nux Indica, the piece —			1						0¾
Nux vomica, the pound —			1½						1
Oil of almonds, the pound —			3						2
Oil of Amber, the pound —			6						4
Oleum anisi, the pound —	1		6				1		
Oil of bay, the cwt. —	8		9				5	10	
Oleum cariophyllorum, the pound	2		6				1		8
Oleum carui, the pound —			6						4
Oleum cinnamomi, the ounce troy	1		6				1		
Oleum juniperi, the pound —			6						4
Oil of mace, the pound —	1		4						11
Oleum nucis muschatæ liquidum, the lb.	2						1		4
Oleum origani, the pound —	1		3						10
Oleum palmæ, the cwt. —	7						4		8
Oleum petroleum, the pound —			3						2
Oleum rhodii, the pound —	5						3		4
Oil of rosemary, the pound —			9						6
Oleum saffrae, the pound —	1								8
Oil of spike, the pound —			4						2¾
Oleum thymæ, the pound —	1		3						10

Oil

# Importation and Exportation. 301

	Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Oil of turpentine, the pound —			1½						0¾
Oleum vitrioli, the pound —			1						0¾
Oil, viz. chemical oils not otherwise enumerated, the pound —			7½						5
Orange jessamine, and perfumed oils, not otherwise enumerated, the pound		1	6				1		
Olibanum or incense, from the place of its growth, or by the East India company, the cwt. —	1	1					14		
— from any other place, the cwt.	3	3					2	2	
Opium, from the place of its growth, or by the East India company, the lb.			1	6			1		
— from any other place, the pound		4	6				3		
Orange-flower ointment, the pound			6						4
Orange-flower water, the gallon		1							8
Origanum, the pound —			1½						1
Orpiment or auripigmentum, the cwt.		8	9				5	10	
Pearl beaten, the ounce troy —			6						4
Pellitory, the pound —			1						0¾
Pepper long, the pound —			2½						1½
Piony seeds, the pound —			1½						1
Pistachias, or nux pistachiæ, the pound —			3						2
— if not imported directly from the place of its growth, the pound			9						6
Pix burgundiæ, the cwt.		6	4				4	2	
Polypodium, the pound —			1						0¾
Polium montanum, the pound			1½						1
Pomegranate peels, the cwt.		4	8						
Pompholix, the pound —			1						0¾
Poppy seeds, the pound —			1½						1
Prunelloes, the pound —			3						2
Psyllium, the pound —			1½						1
Radix bistortæ, the cwt.		4	8				3	2	
Radix cassamunair, or rysagon, the pound			4						2¾
Radix contrayervæ, the pound			6						4
Radix enulæ campanæ, the cwt.		6	4				4	2	
Radix eringii, the pound —			1½						1
Radix esulæ, the pound —			2½						1½
Radix ipecacuanhæ, the pound —		1	8				1	1	
Radix mei athamantici, the pound			1½						1
Radix phu, the pound —			1½						1
Radix scorcionera, the pound —			3						2
Radix seneca, the pound —			2						1½
Radix serpentariæ, the pound —			9						6
Radix tormentillæ, the cwt.		3	2				2	1	
Red lead, the cwt.		3	8				2	5	
Refina jalapii, the pound —		3	2				2	1	

Refina

# 302 Importation and Exportation.

	Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Refina scammonii, the pound —		3	2					2	1
Rhabarbarum, or rhubarb, the pound		1	6					1	
Rhinehurst — —		6	4					4	2
Saccharum saturni, the pound —			3						2
Saffron, the pound —		2	6					1	8
Sago, the pound — —			3						2
Sal alkali, the pound —			6						4
Sal armoniacum, the cwt. —		4	8						
Sal gem, the cwt. — —		4	8						
Sal nitri, the pound —			4						2 $\frac{1}{2}$
Sal prunellæ, the lb. —			2						1 $\frac{1}{2}$
Sal succini, the lb. —		1	2						9
Sal tamarisci, the lb. —		1	2						9
Sal tartari, the lb. —			3						2
Sal vitrioli, the lb. —			3						2
Sal volatile ammoniaci, the lb. —			6						4
Sal volatile cornu cervi, the lb. —			6						4
Salep, or salop, the lb. —			3						2
— if not imported directly from the place of its growth, the lb. —			9						6
Sanguis draconis, from the place of its growth, or by the East India company, the pound — —			8						5 $\frac{1}{2}$
— from any other place, the pound		2						1	4
Sanguis hirci, the pound —			2						1 $\frac{1}{2}$
Sariaparilla, the pound —			8						5 $\frac{1}{2}$
Sassafras wood or roots, the cwt. —		2	4					1	7
Saunders red, the cwt. —		4	8						
— white and yellow, the pound			3						2
Scincus marinus, each — —			1						0 $\frac{1}{2}$
Scordium, the pound — —			1						0 $\frac{1}{2}$
Sebestines, the pound — —			2						1 $\frac{1}{2}$
Seeds for gardens, the pound —			1 $\frac{1}{2}$						1
Seler montanus, the pound —			1 $\frac{1}{2}$						1
Semen cucumeris, cucurb citrol melon, lb.			1 $\frac{1}{2}$						1
Senna, from the place of its growth, or by the East India company, the pound			6						4
— from any other place, the pound		1	6					1	
Spermaceti, coarse and oily, the cwt. —		17	8					11	9
— in British built ships, duty free									
— fine, the pound —			8						5 $\frac{1}{2}$
Spikenard, the pound — —		1	4					11	
Spiritus cornu cervi, the pound			8						5 $\frac{1}{2}$
— vitrioli, the pound —			1						0 $\frac{1}{2}$
Sponge, the pound — —			9						6
— if not imported directly from the place of its growth, the pound		2	3					1	6

Squilla,



# Importation and Exportation. 303

	Inwards.	Duty.			Drawback		
		£.	s.	d.	£.	s.	d.
Drugs called	Squilla, the cwt. —		2	6		1	8
	Squinanthum the pound, —			4			2 $\frac{1}{4}$
	— if not imported from the place of its growth, the pound —		1				8
	Stavesacre, the cwt. —		8	9		5	10
	Stechados, the pound —			2			1 $\frac{1}{2}$
	Storax calamita, from the place of its growth, or by the East India company, the lb.			9			6
	— from any other place, the pound		2	3		1	6
	Storax liquida, the pound —			4			2 $\frac{3}{4}$
	— if not imported directly from the place of its growth, the pound		1				8
	Succus liquoritiæ, the cwt. —	1	8				
	Sulphur vivum, the cwt. —		6	8		4	5
	Talc green, or white, the pound			2			1 $\frac{1}{2}$
	Tamarinds, the pound —			2			1 $\frac{1}{2}$
	Tapioca, the pound. —			2			1 $\frac{1}{2}$
	Tartarum vitriolatum, the pound			3			2
	Terra japonica, the pound —			4			2 $\frac{3}{4}$
	Terra lemnia, or figillata, the pound			6			4
	Thlaspii semen, the pound —			2			1 $\frac{1}{2}$
	Turnfall, the cwt. —		4	8			
	Treacle, common, the pound —			4			2 $\frac{3}{4}$
	Treacle of Venice, the pound —		1	6		1	
	Turbith, from the place of its growth, or by the East India Company, the pound		1				8
	— from any other place, the pound		3			2	
	Turbith thapsiæ, the pound —			5			3 $\frac{1}{2}$
	Turmeric, the pound —			2			1 $\frac{1}{2}$
	Turpentine, common, the cwt.		2	3		1	6
	Turpentine of Venice Scio, or Cyprus, lb.			4			2 $\frac{3}{4}$
	Turpentine of Germany, or of any other place, not otherwise enumerated, the cwt.	12	9			8	6
	Verdigrise, common, the pound			3			
	— crystalized, the pound		1				
	Vernish, the cwt. —		8	9		5	10
	Viscus quercinus, the pound —			10			7
	Vitriolum romanum, the pound			2			1 $\frac{1}{2}$
	— if not imported directly from the place of its growth, the pound			6			4
	Umber, the cwt. —		4	5		2	11
	Ungulæ alcis, the 100 hoofs, —		3	3		2	2
	White lead, the cwt. —		4	5		2	11
	Worm seeds, from the place of their growth, or by the East India company, the lb.			6			4
	— from any other place, the lb.		1	6		1	

Zedoaria,

# 304 Importation and Exportation.

Inwards.		Duty.			Drawback		
		£.	s.	d.	£.	s.	d.
Drugs.	Zedoaria, from the place of its growth, or by the East India company, the pound			6			4
	— from any other place, the pound		1	6		1	
	E.						
East India Goods.	Arrangoes, for every 100l. of the value thereof, according to the price at which they shall be sold at the public sales of the East India company —	31	13	4	29	16	
	China ware, for every 100l. do. do. do.	47	10		45	5	
	Cotton manufactures, not otherwise described, for every 100l. do. do. do.	50			48	10	
	Cowries, for every 100l. do. do. do.	31	13	4	29	16	
	Drugs manufactured, not otherwise described, for every 100l. do. do. do.	40			38	6	3
	Drugs unmanufactured, not otherwise described, for every 100l. do. do. do.	31			29	2	6
	Japanned or lacquered wares, for every 100l. do. do. do. —	49	10		47		
	Muslins, plain, nankeen cloth, muslins or white calicoes, flowered or stitched, for every 100l. do. do. do. —	18			10		
	Tea, for every 100l. do. do. do.	5					
	— exported to Ireland, or any of the British colonies in America, do. do. do.				5		
	<i>Tea is also subject to the duty of excise.</i>						
	Goods, wares, and merchandize prohibited to be used in Great Britain, for every 100l. do. do. do. —	6	15				
	— on exportation to Africa (except to the islands of Maderia, the Canary islands, the Azores, or Western isles)						
	Allejars, the piece — —						7
	Bejutapants, the piece — —					1	
	Byrampauts, the piece — —						9
	Blue long cloths, the piece — —					2	
	Brawles, the piece — —						2
	Callaway pores, the piece — —						9
	Cushtaes, the piece — —						7
	Coopees, the piece — —						7
	Chintz, the piece — —						9
	Chelloes, the piece — —						9
	Cotton romals, the piece — —						6
	Guinea stuffs, the piece — —						2
	Nicanees, small, the piece — —						7
	— large, the piece — —						9
	Negampants, the piece — —					1	
	Photaes, the piece — —						9

Sastra.

# Importation and Exportation. 305

Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.		
East India Goods.								
Saffra cundies, the piece —						1		
Tapseils, the piece —							9	
Manufactured goods, wares, and merchandize, not otherwise described, for every 100l. do. do. do. —	37	16	3	36	1	3		
Unmanufactured goods, wares, and merchandize, not otherwise described, for every 100l. do. do. do. —	28	5		26	5			
Earthen ware, viz. bricks, the thousand —		7	2		6	8		
Flanders tiles, to scour with, the thousand —		12	2		11	2		
Galley tiles, the foot square —			3			2½		
Paving tiles, not exceeding ten inches square, the thousand —	1	9	9	1	8	3		
— above ten inches square, 1000 —	2	6	3	2	4	9		
Pan tiles, the thousand —	2	12	10	2	8	10		
Earthen ware, not otherwise enumerated, for every 100l. of the value thereof —	4	16		36	11			
Eggs, the hundred, containing six score —			5			4		
Elephants teeth, the cwt. —	1	6	5	1	4	5		
— imported by the East India company, the cwt. —	1	10	10	1	8	10		
Enamel, the pound —		3	4		1	6		
F								
FEATHERS for beds, the cwt. —	1	6	5	1	3	5		
— of Muscovy or Russia, imported in foreign ships, the cwt. —	1	8	1	1	3	5		
Ostrich or estridge feathers, dressed, the lb. —		8	10		7	10		
— undressed, the pound —		4	5		3	11		
Fish, viz. anchovies, the barrel, of 16 pounds —		2	7		1	10		
Eels, quick, the ship's lading —	4	13	6	3	18	6		
Lobsters, free by 1 Geo. 1. stat. 2. c. 18. —			6					
Oysters, the bushel —		2	1		1	4		
Stockfish, the 120 —		3	4		2	11		
Sturgeon, the keg —								
Turbots, free by 1 Geo. 1. stat. 2. c. 18. —								
Fish caught and taken by British subjects, duty free. —								
Flannel, the yard —			7			6		
Flax, viz. dressed, in a British built ship, the cwt. —	5	4	6	4	17			
— imported in a foreign ship, the cwt. —	5	8	8	4	17			
— rough, or undressed, imported in a British built ship, the cwt. —		4	10		4	7		
— in a foreign ship, the cwt. —		5	1		4	7		
Flax ( <i>Irish</i> ) duty free, by 7 & 8 W. 3. c. 39. and 16 Geo. 2. c. 26. —								
Flint stones, for potters, the ton —		1						
Flocks, the cwt. —		8	10		7	10		

U

Frize



# 306 Importation and Exportation.

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Frize of Ireland, the yard —			6			5
Furrier's waste, for making glue, the cwt.		5				
G.						
GARNETS, viz. rough, the pound		4	5		3	11
— imported by the East India company, the pound —		5	6		5	
— cut, the pound —		13	3		11	9
— imported by the East India company, the pound —	1	9	9	1	8	3
Galls, the cwt. —		4	5			
Gauzes, of all sorts, ( <i>French</i> ) imported directly into Great Britain, for every 100 l. of the value —	10					
Glass broken, to be re-manufactured, the cwt.	1	3		1		
Glass ( <i>French</i> ) imported directly into Great Britain, for every 100 l. of the value thereof	12					
Glass manufactures, not otherwise enumerated, for every 100 l. of the value thereof	60			43		
<i>Subject also to a duty of excise</i>						
Glovers clippings, to make glue, the cwt.	1	4	$\frac{1}{2}$	1	3	
Glue, the cwt. —	4	5		3	11	
Grain, or scarlet powder, the pound		9			7	
Grain of Seville in berries, and grains of Portugal or Rotta, the pound —		4	$\frac{1}{2}$		3	$\frac{1}{2}$
Grains, Guinea, the pound —		2			1	$\frac{1}{2}$
Graves for dogs, the cwt. —		11			10	
Grease; free by 7 Geo. 3. c. 12. and 26 Geo. 3. c. 53.						
Grocery, viz. almonds, jordan, the cwt.	2	6	3	2	3	3
— of any other sort (except bitter almonds) the cwt. —	1	3	2	1	1	8
Anniseeds, the cwt. —	1	3	2	1	1	8
Cinnamon, the pound —		4	5		4	
Cloves, the pound —		2	8		2	5
Currants, in a British built ship, the cwt.	1	3	4	1	1	9
— in a foreign ship, the cwt.	1	4	10	1	1	9
Dates, the cwt. —	2	6	3	2	3	3
Figs, in a British built ship, the cwt.		12	10		12	
— in a foreign ship, the cwt. —		13	4		12	
Ginger, of the British plantations, the cwt.		11			10	6
— not of the British plantations, the cwt.	1	8		1	6	
Liquorice powder, the cwt. —	2	12	1	2	11	1
— root, the cwt. —	1	8	10	1	8	
Mace, the pound —		4			3	8
Nutmegs, the pound —		2			1	10



# 308 Importation and Exportation.

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Hair imported by the East India company, the pound — — —			9			8
— horse, the pound — — —			9			8
— human, the pound — — —		2				
Handicoots, the doz. — — —			11			10
Harp strings, the gross, 12 dozen knots		2	6		2	2
Hats, viz. bast or straw hats or bonnets, each hat or bonnet not exceeding 22 inches in diameter, the dozen — — —		2	9		2	6
— exceeding 22 inches diameter, the dozen		5	6		5	
— Chip, cane, or horse-hair hats or bonnets, each hat or bonnet not exceeding 22 inches in diameter, the dozen — — —		3	6		3	11½
— each exceeding 22 inches in diameter, the dozen — — —		7			6	3
— made of, or mixed with, felt, hair, wool, or beaver, the hat — — —	2	4			1	19
Hay, the load, 36 trusses, each 56 lbs.		11			10	
Heath, for brushes, the cwt. — — —		4	5		3	11
Hemp, viz. drest, imported in a British built ship, the cwt. — — —	2	4			1	19
— in a foreign ship, the cwt. — — —	2	6	9		1	19
— , rough or undrest, imported in a British built ship, the cwt. — — —		3	8		3	4
— in a foreign ship, the cwt. — — —		3	11		3	4
Hemp of Ireland, or British plantations in America; free by 7 and 8 Will. 3. cap. 39. and 16 Geo. 2. cap. 26. and 8 Geo. 1. cap. 12. — — —						
Hides and skins, and pieces, tanned, tawed, or dressed, not otherwise enumerated, for every 100 l. of the value thereof — — —	77			25		
Hides, viz. cow or ox, in the hair, the piece — — —			9			8
— cow or ox, tanned, the pound — — —			5			
— of horses, mares, &c. in the hair, the piece — — —			9			8
— — — tanned, the pound — — —			5½			
— Indian, undressed, the piece — — —	1	2			1	0½
— Losh hides, the pound — — —		10				
— of Muscovy or Russia, tanned, the lb. — — —			8			
Hones, the 100, containing 5 score — — —		11			10	
Honey, the barrel, containing 42 gallons — — —		8	10		7	10
Hoops of iron, for casks, the cwt. — — —		11	5			
— of wood, for coopers, the thousand — — —		5	11		5	3
Hops, the cwt. — — —	5	18	10		4	3 4
Horns of cows or oxen, the 100 — — —		1	10		1	8
Horn tips the 100, containing 5 score — — —			7			6
Horses, mares, or geldings, each — — —	2	4			19	

Horses,



# Importation and Exportation. 309

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Horses, from Ireland; <i>free</i> by 5 Geo. 3. cap. 10. and 16 Geo. 3. cap. 8. —						
I.						
J E T, the pound — — —			9			8
J Incle, unwrought, or short spinnel, the pound — — —			3½			
— wrought, the dozen pounds — — —	1	9	4	1	5	4
Indico, the pound — — —			6			
Ink for printers, the cwt. — — —		8	10		7	10
Iron, viz. in bars, or unwrought, of Ireland, the ton — — —	1	10	10	1	7	4
— of Muscovy, or Russia, imported in a foreign ship, the ton — — —	3	9	1	2	12	8
— of any other country, in a foreign ship, the ton — — —	3	7	2	2	12	8
— of any country, imported in a British built ship, the ton — — —	2	16	2	2	12	8
— of Ireland, slit, or hammered into rods, the cwt. — — —		4	5		3	11
— of any country, slit, or hammered into rods, less than ¾ of an inch square, imported in a British built ship, the cwt. — — —		9	11		9	5
— in foreign ships, the cwt. — — —		10	3		9	5
— ore, the ton — — —		2	9		2	6
— old, broken, and old cast iron, the ton — — —		13	9		12	6
— pig, the ton — — —		5	6		5	
— of the British colonies in America; <i>free</i> by 23 Geo. 2. cap. 29. and 30 Geo. 2. cap. 16. — — —						
Articles of <i>French</i> manufacture, made entirely or in part of iron and steel, not exceeding in value 2l. 10s. the cwt. and imported directly into Great Britain, in French or British built ships, for every 100l. of the value thereof — — —			5			
— exceeding in value 2l. 10s. the cwt. and all buckles, buttons, knives, or scissars, and all other articles of hardware or cutlery, and all articles composed of copper or brass, separately or mixed, imported directly into Great Britain, in <i>French</i> or British built ships, for every 100l. of the value thereof — — —			10			
Juice of lemons, the ton, 252 gallons — — —	3	10	5	3	6	5
— limes, the gallon — — —			3			2½
Ivory, the pound — — —		2	3		2	
K.						
K E L P, the ton — — —		16	6		15	

# 310 Importation and Exportation.

Inwards.	Duty.			Drawback		
L.	£.	s.	d.	£.	s.	d.
<b>L</b> ACE. viz. bone lace of thread, 12 yards	17	8		15	8	
Lamp black, the cwt. —	1	15	3	1	13	3
Lard, the pound —			1			
Latten, viz. black, the cwt. —	13	3		12	3	
— shaven, the cwt. —	1	2		1	4	
Lead ore, the ton —	17	8		15	8	
Leather, viz. leather manufactures, or any manufacture whereof leather is the most valuable part, for every 100 l. of the value thereof —	77			25		
Leaves of gold, the 100 leaves —		1	2		1	
Lemons and oranges, the thousand —	4	5		3	11	
— pickled, the ton, 252 gallons	1	15	3	1	13	3
Linen, viz. Alexandrian, or Turkey, plain, not exceeding 1 yard in width, the ell			7			6
— exceeding 1 yard in width, the ell			10			9
— callicoes, viz. plain white, imported by the East India company, the piece	5	3		5		
— each piece to be of the breadth of 1 yard and $\frac{1}{4}$ , or under, and 10 yards or less long, and if above 1 yard and $\frac{1}{4}$ broad, not to exceed 6 yards in length, or if longer to pay duty in proportion, by 4 and 5 Will. and Mary, cap. 5. —						
— and besides for every 100 l. of the value according to the price the same shall be publicly sold at the sales of the East India company —	16	10				
— if exported to Africa —				16	10	
— the British colonies in America				11	15	
— any other places, if the said goods shall have been printed or dyed in this kingdom —				16	10	
— to any other place, without having been printed or dyed in this kingdom				14	10	
Cambricks ( <i>French</i> ) imported directly from France, the demi-piece, not exceeding $7\frac{3}{4}$ yards in length, nor $\frac{7}{8}$ of a yard in breadth, or if exceeding $\frac{7}{8}$ of a yard, and under 2 l. 10 s. in value —	5					
— exported to any British colony in America —				2	10	
— exceeding $\frac{7}{8}$ of a yard in breadth, and being above the value of 2 l. 10 s. the						

demi-piece

# Importation and Exportation. 311

Inwards.	Duty.	Drawback
	£. s. d.	£. s. d.
demi-piece of $7\frac{1}{2}$ yards in length, for every 100l. of the value thereof —	10 1	
— exported to any British colony in America — — —		5 13 4
Cambric ( <i>French</i> ) imported and warehoused for exportation, the demi-piece —	6	
Canvas, viz. Hessians canvas, or Dutch bar-rafs, the 120 ells — — —	1 7	1 5 3
— packing canvas, guttings, spruce, el-bing, or Queenborough canvas, the 120 ells —	18 2	16 11
— poldavies the bolt, containing 28 ells —	8 9	
Damask tabling, Dutch or <i>French</i> , viz. not ex-ceeding ell $\frac{1}{2}$ in breadth the yard —	5 4	4 10
— above ell $\frac{1}{2}$ , and under 2 ells in breadth, the yard — — —	6 2	5 8
— from 2 ells to 3 ells, the yard —	7	6 6
— of 3 ells or more, the yard —	10 4	9 10
— tabling of Silesia, or of any other place not enumerated, the yard —	1 3	1 1 $\frac{1}{2}$
— towelling and napkining, Dutch or <i>French</i> , the yard — — —	1 11	1 8
— and diaper towelling and napkining of Silesia, or of any other place, not otherwise enumerated, the yard — —	5	4 $\frac{1}{2}$
Diaper tabling, Dutch or <i>French</i> , viz. not ex-ceeding ell $\frac{1}{2}$ in breadth, the yard —	2 5	2 2
— above ell $\frac{1}{2}$ in breadth, and under 2 ells, the yard — — —	2 10	2 6
— of 2 ells to 3 ells, the yard —	3 2	2 10
— of 3 ells or upwards, the yard —	4 8	4 4
— tabling of Silesia, or of any place, not otherwise enumerated, the yard —	1 1	1 1
— towelling and napkining, Dutch or <i>French</i> , the yard — — —	10	8
Diaper towelling, &c. of Silesia, or else-where, the yard — — —	5	4 $\frac{1}{2}$
Drillings and packduck, the 120 ells —	2 5 4	2 4 4
Flanders, Holland, and <i>French</i> linen, plain, not otherwise enumerated, viz. not exceeding ell $\frac{1}{2}$ in breadth, the ell —	1 4	1 2
— above ell $\frac{1}{2}$ , and under 2 ells, the ell —	1 7	1 5
— of 2 ells to 3 ells, the ell —	1 9	1 7
— of 3 ells or upwards, the ell —	2 7	2 5
German, Switzerland, East country (except Russia), and Silesia cloth, plain, viz. above the breadth of $31\frac{1}{2}$ inches, and not exceed-ing 36 inches, the 120 ells —	3 1 5	2 16 5



# 312 Importation and Exportation.

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
German, above 36 inches in breadth, the 120 ells	4	14	5	4	9	5
— not above 31 $\frac{1}{2}$ inches in breadth, the 120 ells	1	4	7	1	2	7
Hinderlands brown, viz. under 22 $\frac{1}{2}$ inches in breadth, the 120 ells	16	5		15	1	
Irish linen, chequered, stained, or dyed, imported under the 7th and 8th W. III. cap. 39. and 16 Geo. II. cap. 26. for every 100l. of the value thereof	49	10		49	10	
Irish cloth, plain, not exceeding 36 inches in breadth, the 120 ells	12	4		11	4	
— exceeding 36 inches, in breadth, the 120 ells	2	5	4	2	4	4
Lawns, viz. Silesia and all others, plain, (except <i>French</i> ) not bleached in Holland, the piece not exceeding 8 yards in length	3	1		2	10	
— bleached in Holland, the piece not exceeding 8 yards	3	10		3	7	
—, ( <i>French</i> ) imported directly into Great Britain, viz. the demi-piece, not exceeding 7 $\frac{3}{4}$ yards in length, nor 1 $\frac{1}{4}$ yard in breadth, or exceeding 1 $\frac{1}{4}$ yard, and under 2l. 10s. in value	5					
— exported to any British colony in America					2	10
— exceeding 1 $\frac{1}{4}$ yard in breadth, and being above the value of 2l. 10s. the demi-piece of 7 $\frac{3}{4}$ yards in length, for every 100l. of the value thereof	10					
— exported to any British colony in America				5	13	4
Lawns ( <i>French</i> ) imported and warehoused for exportation, the demi-piece			6			
Oil cloth, not exceeding yard-wide, the ell			4			3
— exceeding yard-wide, the ell			7			6
Russia linen, plain, viz. towelling and nap-kining, not exceeding 22 $\frac{1}{2}$ inches in breadth, in a British-built ship, the 120 ells	15	5		14	2	
— in a foreign ship, the 120 ells	16	1		14	2	
Russia linen, not otherwise enumerated, not exceeding 22 $\frac{1}{2}$ inches in breadth, in a British-built ship, the 120 ells	16	5		15	1	
— in a foreign ship, the 120 ells	17	2		15	1	
— exceeding 22 $\frac{1}{2}$ inches in breadth, and not exceeding 31 $\frac{1}{2}$ inches, in a British-built ship, the 120 ells	1	4	7	1	2	7
— in a foreign ship, the 120 ells	1	5	8	1	2	7
— exceeding 31 $\frac{1}{2}$ inches in breadth, and not exceeding 36 inches, in a British-built ship, the 120 ells	1	16	11	1	13	11

Russia,

# Importation and Exportation. 313

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Russia, in a foreign ship, the 120 ells	1	18	6	1	13	11
— exceeding 36 inches in breadth, and not exceeding 45 inches, in a British-built ship, the 120 ells	3	9	11	3	6	11
— in a foreign ship, the 120 ells	3	11	6	3	6	11
— exceeding 45 inches in breadth, in a British-built ship, the 120 ells	4	14	5	4	9	5
— a foreign ship, the 120 ells	4	17	2	4	9	5
Sail cloth, or duck ( <i>Dutch or French</i> ), not exceeding 36 inches in breadth, the 120 ells	2	3	1			
— exceeding 36 inches in breadth, the 120 ells	3	16	1			
Sail cloth or duck of Russia, not exceeding 36 inches in breadth, in a British-built ship, the 120 ells	2	1	9			
— in a foreign ship, the 120 ells	2	3	1			
— exceeding 36 inches in breadth, in a British-built ship, the 120 ells	3	14	9			
— in a foreign ship, the 120 ells	3	16	1			
Sail cloth or duck, not otherwise enumerated, and not exceeding 36 inches in breadth, the 120 ells	2	1	9			
— exceeding 36 inches in breadth, the 120 ells	3	14	9			
Sail cloth or canvas, ( <i>Irisb</i> ) on which the bounty of 4d. the yard has been there granted, of the value of 1s. 2d. the yard, or upwards, the yard			4			
— on which the bounty of 2d. the yard has been granted, of the value of 10d. and under 1s. 2d. the yard, the yard			2			
Sails, ready made, for every 100l. of the value thereof	45					
Sheets old, the piece			6			5
Spanish or Portugal linen plain, viz. not exceeding 36 inches in breadth, the ell			5			4
— exceeding 36 inches in breadth, the ell			8			7
Linen, viz. plain white linen, not chequered, printed, painted, or dyed, nor otherwise particularly enumerated, for every 100l. of the value thereof	33	6	8	30	16	8
Linen chequered, printed, or dyed, not prohibited to be imported, or used, in Great Britain, and not otherwise particularly enumerated, for every 100l. of the value thereof	80	4	2	77	14	2
<i>Linen printed, painted, or stained, is also subject to a duty of excise.</i>						
Litmus, the cwt.	3	4				
Lutestrings or catlings, the 12 dozen knots	2	6		2	2	

MADDER

# 314 Importation and Exportation.

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
<b>M</b> <b>M</b> <b>A</b> <b>D</b> <b>D</b> <b>E</b> <b>R</b> , the cwt. — — —	4	8				
Maps, each — — —		6				
Mats of Russia, in a British built ship, the 100 —	11			9	9	
— in a foreign ship, the 100 —	11	9		9	9	
Matting of Barbary or Portugal, the yard —		5		4	$\frac{1}{2}$	
— of Holland, the yard —		2		1	$\frac{1}{2}$	
Mead, the hoghead, containing 63 gallons —	8	10		7	10	
Medlars, the bushel — —	2	4			4	
Melasses, of and from the British plantations in America, the cwt. —	3			2	8	
— from any other place, the cwt. —	11	9		11	5	
Metal, viz. leaf (except of leaf gold) the packet containing 250 leaves —			2			1
— prepared for battery, the cwt. —	1	11	11	1	8	11
Metheglin, the hoghead, 63 gallons —	8	10		7	10	
Millinery, ( <i>French</i> ) made up of muslin, lawn, cambric, or gauze, imported directly into Great Britain, for every 100 l. of the value thereof — — —	12					
— any other article, used in such millinery, shall pay duty, as if separately imported						
Morels, the pound — — —	1	2		1		
Moss, viz. rock moss for dyers use, the ton containing 20 cwt. —	5					
Mum, the barrel, containing 32 gallons —	9	10		7	10	
<i>Subject also to the duty of excise</i>						
<b>N</b> <b>E</b> <b>A</b> <b>T</b> <b>S</b> tongues, the dozen —	1					
Nuts, chesnuts, the bushel —	1	5		1	3	
— small, the bushel —		9			8	
— Walnuts, the bushel — —		6			5	
<b>O</b> <b>A</b> <b>K</b> bark (when allowed), the cwt. —						
Oakum, the cwt. — — —	2	3		2		
Oaker, the bushel — — —	2			1	9	
Oil, viz. sallad oil, in a British-built ship, the gallon — — —	1	1		1		
Sallad oil, in a foreign ship, the gallon —	1	2		1		
Ordinary oil of olives, in a British-built ship, the ton, containing 252 gallons —	7	9		6	4	9
— in a foreign ship, the ton —	7	9	8	6	4	9
Rape and linseed oil, the ton, 252 gallons —	24	4		22	9	
Oil of hempseed, or any other seed oil, not enumerated, the ton, 252 gallons —	13	4		12	14	
Train oil, or blubber, or fish oil, of foreign fishing, the ton, containing 252 gallons —	18	3		13	13	

Train



# Importation and Exportation. 315

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Train oil of British fishing, viz. of Greenland, and parts adjacent, the ton, containing 252 gallons	1	15	3	1	11	3
— when taken by any shipping belonging to his majesty's colonies, and imported in such shipping, the ton, containing 252 gallons		15	5		12	5
— when imported in British ships, the ton, containing 252 gallons		12	2		10	7
— of Newfoundland and like sort, the ton, containing 252 gallons	1	6	5	1	3	5
— when taken by shipping belonging to any of his majesty's colonies, and imported in such shipping, the ton, containing 252 gallons		13	3		10	2
— when imported in British ships, the ton, containing 252 gallons		9	11		8	5
Olives, the hoghead, containing 63 gallons	1	15	3	1	11	3
Onions, the bushel			3			2½
Oranges and lemons, the 1000		4	5		3	11
Orchal, the cwt.		6	4			
Orchelia, or archelia, the cwt.		3	1			
Orsedew, the dozen pounds		6			5	3
<b>P.</b> PACKTHREAD, the hundred pounds	1	3	3	1	11	9
Pails, or kits of wood, the dozen	1	10		1	8	
Painters colours of all sorts, not otherwise enumerated, the pound			2			1½
Paper, viz. Atlas ordinary, the ream	1	8	10			
— Atlas, fine, the ream	2	5	2			
— Bastard, or double copy, the ream		5	4			
— Blue royal, the ream		8	6			
— Blue paper, for sugar bakers, the ream		7	1			
— Brown paper, the bundle, containing 40 quires		2	11			
— Brown cap, the ream		4	11			
— Fool's cap, fine, the ream		6	2			
— Fool's cap, second, the ream		5	4			
— Genoa fool's cap, fine, the ream		4	7			
— Genoa fool's cap, second, German fool's cap, and fine printing fool's cap, the ream		3	9			
— Second ordinary printing fool's cap, the ream		3	4			
— Cartridge paper, the ream		5	9			
— Chancery double, the ream		5				
— Crown, viz. fine Genoa crown, the ream		4	7			
— second Genoa crown, German crown, and fine printing crown, the ream		3	9			

Paper,

# 316 Importation and Exportation

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Paper, second ordinary printing crown, the ream			3 4			
— demy, viz. fine, the ream			13 6			
— demy second, the ream			11			
— Genoa demy, fine, the ream			6 9			
— Genoa demy, second, the ream			5 11			
— German demy, the ream			5 11			
— printing demy, the ream			6 2			
— elephant ordinary, the ream			12 3			
— elephant fine, the ream			1 5 4			
— imperial fine, the ream			2 5 2			
— imperial second writing, the ream			1 16 11			
— lombard German, the ream			3 9			
— medium fine, the ream			16 2			
— second writing medium, the ream			12 11			
— Genoa medium, fine, the ream			10 5			
— Genoa medium, second, the ream			9 1			
— post small, the ream			5 1			
— fine large post, weighing 15 pounds per ream, or upwards, the ream			8 7			
— fine large post, weighing under 15 pounds, the ream			7 9			
— Pot, viz. fine Genoa pot, second Genoa pot, and ordinary pot, the ream			3 4			
— superfine pot, the ream			5 4			
— second fine pot, the ream			4 7			
— pressing paper, the cwt.			12 10			
— royal, viz. royal, fine, the ream			1 5 4			
— super royal, fine, the ream			1 11 11			
— second writing royal, the ream			1 1 3			
— second writing super royal, the ream			1 5 4			
— Genoa royal, fine, the ream			14 5			
— Genoa royal, second, the ream			13 1			
— fine Holland royal, the ream			14 5			
— second fine Holland royal, the ream			11			
— ordinary royal, the ream			7 9			
— painted paper, or paper hangings, for rooms, for every 100 l. of the value thereof	75					
— paper, not otherwise particularly enumerated for every 100 l. of the value thereof	55					
— parchment, the dozen, containing 12 sheets			4 9			
Pears, the bushel			1 5			1 3
Pears dried, the bushel			9			8
Perry, the ton, containing 252 gallons	8	8		7	7	
<i>Subject also to the duty of excise.</i>						
Pewter, old, the cwt.			13 9			12 6
Pickles of all sorts, not otherwise described or enumerated, the gallon			9			7

Pictures





# 318 Importation and Exportation.

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
<b>R</b>						
<b>R</b> AGS, old ropes, or junks, or old fishing-nets, fit only for the making of paper or pasteboard; <i>free</i> by 11 Geo. 1. c. 7.						
Rape of grapes, the ton, containing 252 gal.	5	8	11	4	8	11
Rape cakes, for manure, from Ireland, <i>free</i> by 15 Geo. 3. c. 34.						
Rennet, the gallon — — —			2½			2
Rice, the cwt. — — —	7	4		7	4	
— imported by the East India company	8	10		8	10	
Rice, of the production of the British plantations in America, imported for the purpose of exportation into the ports of Plymouth, Exeter, Poole, Southampton, Chichester, Sandwich, and the members thereof; as also into Bristol, Liverpool, Lancaster, Whitehaven, and Glasgow, the cwt. —			8			
Rosin, of the product of any of the British dominions, the cwt. — — —	1	6		1	4	
— not the product of the British dominions, imported in a British-built ship, the cwt.	2	3		2	1	
— imported in a foreign ship, the cwt.	2	4		2	1	
Rugs, viz. Irish rugs, the piece —	3			2	8	
<b>S</b>						
<b>S</b> ADLERY ( <i>French</i> ) imported directly, for every 100 <i>l.</i> of the value thereof —	15					
Safflower, the pound — — —			1½			
Sago powder, <i>free</i> by 7 Geo. 3. c. 30. 21 Geo. 3. c. 29.						
Salt, viz. for curing of fish, imported in a British-built ship, or from Jersey, Guernsey, Sark, or Alderney, the wey, containing 40 bushels, each bushel being 84 lb.	5	11		5	3	
— imported in a foreign ship, the wey	6	3		5	3	
— not for curing of fish, imported in a British built ship, or from Jersey, Guernsey, Sark, or Alderney, the wey —	11	5		10	9	
— imported in a foreign ship, the wey —	11	9		10	9	
<i>Salt is also subject to the duties on salt, under the management of the commissioners of that revenue.</i>						
Saltpetre, the cwt. — — —	2	3		1	9	
— imported by the East India company	7	9		7	3	
— when used to make oil of vitriol, a drawback of the whole duties, by 23 Geo. 3. c. 77. 26 Geo. 3. c. 53.						
Sausages, or puddings, the pound —			3½			3

Scoops

# Importation and Exportation. 319

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Scoops of wood, the dozen — —			11			10
Seamorse teeth, or sea-horse teeth, the lb.			8			7
Seeds, Canary, the cwt. — —	16	6		14	7	
— Clover, the cwt. — —	2	9		2	6	
— Cole, the quarter, containing 8 bushel	13	3		12	9	
— Hemp, the quarter, containing 8 bushel	9	3		9	2	
— Linseed, free by 3 Geo. 1. c. 7.						
— Lucerne, the cwt. — —	2	9		2	6	
— Maw, the cwt. — —	15	5		14		
— Millett, the cwt. — —	4	5		4		
— Mustard, the cwt. — —	2	3		2		
— Onion, the cwt. — —	17	8		15	8	
— Rape, the quarter, containing 8 bushel	13	3		12	9	
Rape, and all other seeds from Ireland, for the purpose of extracting oil therefrom, the last, containing 10 quarters, each 8 bushel			1			
Sheep from Ireland, free by 5 Geo. 3. c. 10. and 16 Geo. 3. c. 8.						
Sheep's guts, dried to make whips, the gross, containing 12 dozen — —			6			5
Ships, and all their tackle (except sails) for every 100/. of the value thereof —	5	10				
Shovels of wood unshod, the dozen — —	2	9		2	6	
Shruff, or old brass, the cwt. — —	13	3		11	9	
Shumac, the cwt. — —	1	5				
Silk, viz. organzine, and all thrown silk in the gum, the pound, containing 16 ounces			7	4		
— if exported to Ireland, the pound —					6	11
— exported (except to Ireland) the pound					6	5
— raw, the pound, containing 16 ounces			3			
— if exported to Ireland, the pound —					2	10
— exported (except to Ireland) the pound					2	
— of the growth of the British colonies in America, free by 23 Geo. 2. c. 20.						
— Knubs, or husks of silk, the pound, containing 16 ounces — —			4			3½
— Thrown silk dyed, the pound, 16 ounces	1	4	9			
— if exported to Ireland, the pound —				1	2	3
— exported (except to Ireland) the pound				1	1	9
— Silk wrought, viz. crapes and tissanies of the manufacture of Italy, imported from thence in British-built ships, the pound	1	13	5	1	4	
— otherwise imported, the pound —	1	15	9	1	4	
Skeets for whiffers, the skeet —			3			2½
Skins and furs, viz. armin, or ermin skins, undressed, the timber, containing 40 skins			11			10

# 320 Importation and Exportation.

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Badger skins, undressed, the piece —			7			6
Bear skins, white, undressed, the piece —	11			10		
Bear skins of any other colour, undressed, the piece — — — — —	5	6		5		
Beavers skins, undressed, the peace —			8½			
Beavers skins, from any of his majesty's dominions in America, the piece —			1			
Beavers wombs, the peace —		5½				
Buck or deer skins, undressed, the skin —		9		7½		
— Indian, half-drest, the pound		4½		3½		
Calabar skins, tawed, the timber, 40 skins	2	3		2		
— untawed or undressed, the timber, containing 40 skins — —	11	10		1	8	
Calves skins of Ireland, undressed, the dozen	11	10		1	8	
Calves skins, of any other country, the dozen — of Ireland or America, free by 9 Geo. 3. c. 39. and 21 Geo. 3. c. 29.	2	9		2	6	
— tanned, the pound — —			4½			
Cat skins, undressed, the hundred skins —	11			10		
Coney skins, the dozen — —		3½		3		
Cordivants, dressed, viz. imported by the East India company, the dozen —	1	3	6	14	9	
— of Turkey, the dozen. — —	16	2		7	6	
— of Spain, the dozen — —	1	16	4	1	5	9
Dog skins, undressed, the piece —			2½			2
Dog fish skins, undressed, the dozen —	2			1	9	
Elk skins, undressed, the skin —	1	8		1	6	
Fisher skins, undressed, the piece —	1	4½		1	3	
Fitches, undressed, the timber, 40 skins	3	8		3	4	
Fox skins, black, undressed, the skin —	2	15		2	10	
— of all other sorts, undressed, the skin			4½			4
Goats skins of Ireland undressed, the dozen	1	10		1	8	
— of any other country, undressed, the doz. — in British ships, free by 15 Geo. III. c. 35. and 26 Geo. 3. c. 53.	5	6		5		
— tanned, the dozen — —	1					
Hare skins, undressed, the 120 —		11			10	
Husse skins, undressed, the skin —		2			1½	
Kid skins, in the hair, the 100 —	19	3		6	3	
— dressed, the 100, containing 5 score	1	4	9	11	3	
Lamb skins, undressed, in the wool, the 120	2	9		2	6	
— dressed in allum, the 100 —	14	8		5	10	
— dressed in oil, the 100 —	2	4		1	1	8
Slink lamb skins, undressed, in the wool, the 120 — — — —	1	4½		1	3	
Leopard skins, undressed, the piece —	6	11		6	3	
Lion skins, undressed, the piece —	2	9		2	6	

Martins,



# Importation and Exportation. 321

<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback.</i>		
	<i>£.</i>	<i>s.</i>	<i>d.</i>	<i>£.</i>	<i>s.</i>	<i>d.</i>
Martins, or matrons, undressed, the timber, containing 40 skins — —	2	15		2	10	
— tails, undressed, the 120 — —		11			10	
Minks skins, tawed, the timber, 40 skins — —	1	2		1		
— untawed or undressed, the timber — —	16	6		15		
Mole skins, undressed, the dozen — —		2			1	$\frac{1}{2}$
Moose skins, undressed, the piece — —	2	9		2	6	
Musquash skins, undressed, the 100 skins — —	13	9		12	6	
Otter skins, undressed, the piece — —	1	5		1	3	
Ounce skins, undressed, the piece — —	3	6		3	$1\frac{1}{2}$	
Panther skins, undressed, the piece — —	5	6		5		
Pelts of goats, dressed, the dozen — —	2	9		2	6	
Pelts of goats, undressed, the dozen — —	1	$4\frac{1}{2}$		1	3	
— of all other sorts, undressed, the 100 — —	8	3		7	6	
Raccoon skins, undressed, the hundred skins — —	13	9		12	6	
Sables, undressed, the timber, 40 skins — —	8	5		7	10	
Sables tails, or tips, undressed, the piece — —		7			6	
Seal skins, undressed, the skin — —		6			5	
Skins of seals, taken by the inhabitants of his majesty's colonies in America, and imported in a British ship, the skin — —		2			1	
Skins of seals, taken by British subjects, <i>free</i> by 26 Geo. 3. c. 26, 41, and 50. — —						
Sheep skins, undressed, in the wool, the doz. — —		10			9	
Sheep skins, dressed in oil, the dozen — —	4	9		2	6	
Sheep skins, otherwise dressed, the dozen — —	2	6		1	8	
Swan skins, undressed, the piece — —		11			10	
Tyger skins, undressed, the piece — —	2	9		2	6	
Weasel skins, undressed, the 120 — —		11			10	
Wolf skins, tawed, the piece — —	8	3		7	6	
Wolf skins, untawed or undressed, the piece — —	6	4		5	9	
Wolverings, undressed, the skin — —	3	6		3	$1\frac{1}{2}$	
Slude, the pound — — —		6			5	
Smalts, the pound — — —		4			$3\frac{1}{2}$	
Snuff, imported by the East India company, the pound — — —	3	3				
— from the British plantations in America, or the Spanish West Indies, the pound — —	1	6				
— from any other place, the pound — —	2	2				
Soap, viz. hard soap, the cwt. — —	2	4				
Soft soap, the cwt. — — —	1	17	5			
Soapers waste, <i>free</i> by 18 Geo. 2. c. 22. — —						
Spelter, the cwt. — — —	13	9		12	6	
Spinal fine, to make gauze, the pound — —	2	9		2	6	
Spirits, viz. arrack imported by the East India company, the gallon — —		9			8	
— brandy, of any country, the gallon — —		9			8	



# Importation and Exportation. 323

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Stuffs of all sorts, made of or mixed with wool, the yard	5	6		4	10	
Succades, wet or dry, the pound		8			7	
— imported by the East India company	1	6		1	5	
Swingles, the gross, containing 12 dozen	10	6		15		
T.						
TAILS of cows, the hundred, containing 5 score	2	9		2	6	
Tallow, the cwt.	9	2				
Tar, not the product of any of the British dominions, imported in a British built ship, the last, containing 12 Barrels, each 31½ gallons	12	4½		11	1½	
— imported in a foreign ship, the last	13	1		11	1½	
— of any of the British dominions, the last	11			9	9	
Tarras, the bushel		6			5	
Tazels, the thousand	1	2		1		
Thread, viz. bridges thread, the dozen lb.	9	11		8	9	
— crossbow, the hundred pounds	14	8		13		
— outnal, the dozen pounds	17	8		16	2	
— filter's, the pound	2	9		2	4½	
— whited-brown, the dozen pounds	17	8		15	8	
— thread of Ireland, free by 7 and 8 Will. 3. c. 39. and 16 Geo. 2. c. 26.						
Thrums of linen or fustian, the pound		1½			1	
Thrums of woollen, the pound		3			2	
Tin, the cwt.	2	13				
Tin glass, the cwt.	13	3		11	9	
Tobacco, viz. of the growth or manufacture of the dominions of Spain or Portugal, the pound	3	6		3	3	
— of the growth of Ireland, or of the British colonies in America, or of the United States of America, the pound	1	3		1	3	
Tortoise-shell, the pound	1	3		1	1½	
Tow, the cwt.	2	9		2	6	
— of Russia, in a foreign ship, the cwt.	2	11		2	6	
Toys, for every 100 l. value thereof	33			29	13	4
Trays of wood, the shock, containing sixty	4	5		3	11	
Trenchers of wood, the gross, 12 dozen		11			10	
Trunnels, or Treenails, the 1200	2	3		2		
Truffles, the pound	2	3		2		
Tubs of wood, the dozen		5			4	
Twine, the cwt.	11			9	9	
Twist, for bandstrings; the dozen knots	2	3		2		
V.						
VALONIA, the cwt.	1	2				
Vellum, the skin	3	2				



# 324 Importation and Exportation.

Inwards.			Duty.		Drawback	
			£.	s.	£.	s.
Vermicelli, the pound	—	—		2		1½
— from the British colonies in America, free by 7 Geo. 3. c. 30. and 21 Geo. 3. c. 29.						
Vinegar, <i>French</i> , or from any other country, the ton, containing 252 gallons	—	—	32	18 10	7	14 11
Vinelloes, the pound	—	—		8 3		7 6
W.						
WAFERS, the pound	—	—		6		5
Water, Spa, or Pyrmont, and all other mineral and natural waters, the dozen bottles or flasks, each not exceeding 3 pints				1 10		1 8
Wax, viz. bees wax, white or manufactured, the cwt.	—	—	3	2 4	3	1 4
— unmanufactured, the cwt.	—	—	1	11 7	1	10 7
— hard wax, the pound	—	—		1 3		1 1
— bay or myrtle wax, the pound	—	—		4		3½
Weld, the cwt.	—	—		10		8½
Whale fins, viz. of foreign fishing, the ton, containing 20 cwt.	—	—	97	18	88	18
— of British fishing, imported in shipping belonging to any of his majesty's colonies or plantations, the ton, containing 20 cwt.			2	15	1	10
— of British fishing, imported in shipping belonging to Great Britain, the ton, containing 20 cwt.			1	7 6		15
Whipcord, the pound	—	—		2		1½
Wines, viz. <i>French</i> wine, imported into the port of London, in a British-built ship, the ton, containing 252 gallons	—	—	29	8		
— in a foreign ship, the ton, 252 gallons	—	—	33	12		
— having been imported into the port of London, and exported to any British colony or plantation in America, or the East Indies, the ton, containing 252 gallons	—	—			29	8
— exported to any other place, the ton	—	—			24	13 6
— imported into any port of Great Britain, except the port of London, in a British-built ship, the ton, 252 gallons	—	—	25	4		
— in a foreign ship, the ton, 252 gallons	—	—	29	8		
— having been imported into any port of Great Britain, except London, and exported to any British colony or plantation in America or the East Indies, the ton, containing 252 gallons	—	—			25	4
— exported to any other place, the ton	—	—			20	9 6
<i>French</i> wine, entered for <i>prifage</i> , viz. im-						

ported



# 326 Importation and Exportation.

<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback</i>		
	£.	s.	d.	£.	s.	d.
Wine, entered for <i>prilago</i> , viz. <i>Rhenish</i> , <i>German</i> , or <i>Hungary</i> wine, imported into any port of England, in a British-built ship, the ton, containing 252 gallons	24	6	9			
— in a foreign ship, the ton, containing 252 gallons	27	1	9			
— exported to any British colony in America, the ton, containing 252 gallons				24	6	9
— exported to any other place, the ton, containing 252 gallons				20	13	
<i>Portugal</i> or <i>Madeira</i> , or <i>Spanish</i> , and all other wines, not otherwise enumerated, imported into the port of London, in a British-built ship, the ton, containing 252 gallons	14	7	11			
— in a foreign ship, the ton, containing 252 gallons	16	4	6			
— having been imported into the port of London, and exported to any British colony in America, the ton, containing 252 gallons				14	7	11
— exported to any other place, the ton, containing 252 gallons				11	18	1
— imported into any port of England, except London, in a British-built ship, the ton, containing 252 gallons	12	11	2			
— in a foreign ship, the ton, containing 252 gallons	14	7	11			
— having been imported into any port of England, except London, and exported to any British colony or plantation in America, the ton, containing 252 gallons				12	11	2
— exported to any other place, the ton				10	5	
<i>Wines are also subject to the duty of excise.</i>						
Wine lees, subject to the same duty as wine; but no drawback for any lees exported.						
Wire, viz. brass or copper wire, not otherwise enumerated, the cwt.	2	12	3	2	9	
— iron wire, the cwt.	2	17	9	2	14	
— latten wire, the cwt.	2	13		2	9	8
— steel wire, the pound			10			9
— virginal wire of brass, the cwt.	7	6	11	6	12	11
— iron, the cwt.	7	8		6	14	
Wood, viz. green wood, the ton, containing 20 cwt.	1	13		1	5	6
— Thoulouse wood, the cwt.		3	8		2	19
* Wood, viz. anchor stocks, imported in a British-built ship, the piece	2	3		2	1	

\* Wood, in general, from America, under certain restrictions, duty free.



# Importation and Exportation. 327

<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback.</i>		
	<i>£.</i>	<i>s.</i>	<i>d.</i>	<i>£.</i>	<i>s.</i>	<i>d.</i>
Wood in a foreign ship, the piece —		2	4		2	1
Balks, from five to eight inches square, or if 24 feet in length, or upwards, imported in a British built ship, the 120 — —	2	13		2	10	6
— in a foreign ship, the 120 — —	2	14	5	2	10	6
— under 5 inches square, and under 24 feet in length, imported in a British-built ship, the 120 — — —	1	1	3	1		3
— in a foreign ship, the 120 — —	1	1	9	1		3
Battens, from 8 to 20 feet in length, not above 7 inches in width, and not exceeding $2\frac{3}{4}$ inches in thickness, imported in a British-built ship, the 120 — —	1	6	6	1	5	3
— in a foreign ship, the 120 — —	1	7	3	1	5	3
— exceeding 20 feet in length, not above 7 inches in width, or if exceeding $2\frac{3}{4}$ inches in thickness, imported in a British-built ship, the 120 — — —	2	13		2	10	6
— in a foreign ship, the 120 — —	2	14	5	2	10	6
Batten ends, under 8 feet in length, not above 7 inches in width, and not exceeding $2\frac{3}{4}$ inches in thickness, imported in a British-built ship, the 120 — —		8	10		8	5
— in a foreign ship, the 120 — —		9	1		8	5
— under 8 feet in length, not above 7 inches in width, and exceeding $2\frac{3}{4}$ inches in thickness, imported in a British-built ship, the 120 — — —	17	8		16	10	
— in a foreign ship, the 120 — —	18	2		16	10	
Beech plank, 2 inches thick, or upwards, imported in a British-built ship, the load, containing 50 cubic feet — —	13	3		12	3	
— 2 inches in thickness, or upwards, imported in a foreign ship, the load, containing 50 cubic feet — —	13	9		12	3	
Beech quarters, from 5 to 8 inches square, or if 24 feet in length, or upwards, imported in a British built ship, the 120 — —	2	13		2	10	6
— in a foreign ship, the 120 — —	2	14	5	2	10	6
— under 5 inches square, and under 24 feet in length, imported in a British-built ship, the 120 — — —	1	1	3	1		3
— in a foreign ship, the 120 — —	1	1	9	1		3
Boards, viz. beech boards, under 2 inches in thickness, and under 15 feet in length, imported in a British-built ship, the 120 — —	1	6	5	1	4	5
— in a foreign ship, the 120 — —	1	7	6	1	4	5

# 328 Importation and Exportation.

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Boards under 2 inches in thickness, and if 15 feet in length, or upwards, imported in a British built ship, the 120 —	2	12	10	2	8	10
— in a foreign ship, the 120 —	2	13	11	2	8	10
Clap boards, not exceeding five feet three inches in length, and under eight inches square, imported in a British built ship, the 120 —	1			19	6	
— in a foreign ship, the 120 —	1	2		19	6	
Linn boards, or white boards for shoemakers, under four feet in length, and under six inches in thickness, imported in a British built ship, the 120 —	1	19	8	16	8	
— in a foreign ship, the 120 —	2	1	3	16	8	
— for shoemakers, 4 feet in length, or six inches in thickness, imported in a British built ship, the 120 —	3	19	4	3	13	4
— in a foreign ship, the 120 —	4		11	3	13	4
Oak boards, under two inches in thickness, and under fifteen feet in length, imported in a British built ship, the 120 —	2	12	10	2	8	10
— in a foreign ship, the 120 —	2	15		2	8	10
— under two inches in thickness, and if fifteen feet in length, or upwards, imported in a British built ship, the 120 —	5	5	8	4	17	8
— in a foreign ship, the 120 —	5	7	10	4	17	8
Paling boards, hewed on one side, and not exceeding seven feet in length, imported in a British built ship, the 120 —	5			4	10	
— in a foreign ship, the 120 —	5	1		4	10	
— exceeding seven feet in length, imported in a British built ship, the 120 —	10			9	8	
— in a foreign ship, the 120 —	10	1		9	8	
Paste boards, or mill boards, imported in a British built ship, the cwt. —	10			9	8	
— in a foreign ship, the cwt. —	10	2		9	8	
Pipe board, above 5 and 3 inches in length, and not exceeding 8 feet in length, and under 8 inches square, imported in a British built ship, the 120 —	1	10		1	9	6
— in a foreign ship, the 120 —	1	10	3	1	9	6
— exceeding eight feet in length, and under 8 inches square, imported in a British built ship, the 120 —	3			2	19	
— in a foreign ship, the 10 —	3	3		2	19	
Scale boards, imported in British built ships, the cwt. —	11			10	11	

Scaleboards

# Importation and Exportation. 329

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Scaleboards in a foreign ship, the cwt. —	11	1		10	11	
Wainscot boards, containing 12 feet in length, and 1 inch in thickness, and so in proportion for any other length or thickness, imported in a British built ship, the board — in a foreign ship — —			9 9½			8 8
Boxwood, imported in a British built ship, the ton, containing 20 cwt. —	2	13		2	9	
— in a foreign ship, the ton, containing 20 cwt. — — —	2	15		2	9	
Brazil, or Fernambucca wood, for dyers the cwt. — — —			5 10			
Brazilletto, or Jamaica wood, the cwt. — — —			3 7			
Deals above 7 inches in width, exceeding 20 feet in length, and not exceeding 4 inches in thickness, imported in a British built ship, the 120 — — —	5	19		5	11	6
— imported in a foreign ship, the 120 — — —	6	3	2	5	11	6
— exceeding 4 inches in thickness, imported in a British built ship, the 120 — —	11	18		11	3	
— imported in a foreign ship, the 120 — — —	12	2	2	11	3	
— above 7 inches in width, being from 8 to 20 feet in length, and not exceeding 3½ inches in thickness, imported in a British built ship, the 120 — —	2	13		2	10	6
— imported in a foreign ship, the 120 — — —	2	14	5	2	10	6
— exceeding 3½ inches in thickness, imported in a British built ship, the 120 — — —	5	6		5	1	
— in a foreign ship, the 120 — — —	5	7	5	5	1	
Deal ends, above seven inches in width, being under 8 feet in length, and not exceeding 3½ inches in thickness, imported in a British built ship, the 120 — — —	17	8		16	10	
— imported in a foreign ship, the 120 — — —	18	2		16	10	
— exceeding 3½ inches in thickness, imported in a British built ship, the 120 — — —	1	15	4	1	13	8
— imported in a foreign ship, the 120 — — —	1	16	3	1	13	8
Ebony, imported in a British built ship, the cwt. — — —	13	3		12	3	
— imported in a foreign ship, the cwt. — — —	13	9		12	3	
<i>to be manufactured may be imported from Africa duty free 27 Geo. 3. c. 32.</i>						
Firewood, the fathom, 6 feet wide, and 6 feet high, imported in a British built ship — — —	2	8		2	6	
— imported in a foreign ship — — —	2	9		2	6	

Fir



# 330 Importation and Exportation.

<i>Inwards.</i>	<i>Duty.</i>			<i>Drawback</i>		
	<i>£.</i>	<i>s.</i>	<i>d.</i>	<i>£.</i>	<i>s.</i>	<i>d.</i>
Fir quarters, from 5 to 8 inches square, or if 24 feet in length, or upwards, imported in a British built ship, the 120 —	2	13		2	10	6
— imported in a foreign ship, the 120 —	2	14	5	2	10	6
— under 5 inches square, and under 24 feet in length, imported in a British built ship, the 120 —	1	1	3	1		3
— imported in a foreign ship, the 120 —	1	1	9	1		3
Fir timber, 8 inches square, or upwards, imported in a British built ship, the load containing 50 cubic feet —		6	8		6	4
— in a foreign ship, the load —		6	10		6	4
Fustick, for dyers use, the cwt. —			10			
Handspikes, under 7 feet in length, imported in a British built ship, the 120 —		6	8		6	2
— imported in a foreign ship, the 120 —		6	11		6	2
— 7 feet in length, or upwards, imported in a British built ship, the 120 —		13	4		12	4
— imported in a foreign ship, the 120 —		13	7		12	4
Knees of oak, under 5 inches square, imported in a British built ship, the 120 —		3	4		3	1
— imported in a foreign ship, the 120 —		3	6		3	1
— from 5 to 8 inches square, imported in a British built ship, the 120 —		1	13		1	10 6
— imported in a foreign ship, the 120 —		1	14 5		1	10 6
— 8 inches square or upwards, imported in a British built ship, the load containing 50 cubic feet —			9 11			9 2
— imported in a foreign ship, the load —			10 4			9 2
Lathwood in pieces under 5 feet in length, the fathom, 6 feet wide and 6 feet high, imported in a British built ship —		13	3		12	3
— imported in a foreign ship —		13	9		12	3
— in pieces 5 feet in length, or upwards, the fathom, 6 feet wide and 6 feet high, imported in a British built ship —		19	10		18	4
— imported in a foreign ship —		1	4		18	4
Lignum vitæ, the cwt. —		2	3		2	
Logwood for dyers use, the ton, 20 cwt. —	1	1				
Mahogany, the ton, containing 20 cwt. —	2	4		2		
Masts, six inches in diameter, and under eight inches, imported in a British built ship, the mast —		1	1 1/2		1	
— imported in a foreign ship, the mast —		1	2		1	
— 8 inches in diameter, and under 12 inches, imported in a British built ship, the mast —		3	4		3	1

Masts

# Importation and Exportation. 331

Inwards.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Masts imported in a foreign ship, the mast		3	6		3	2
— 12 inches in diameter, or upwards, im-						
ported in a British built ship, the mast		6	8		6	2
— imported in a foreign ship, the mast		6	11		6	2
Nicaragua wood, for dyers use, the cwt.		1	4			
Oak plank, 2 inches in thickness, or upwards,						
imported in a British built ship, the load,						
containing 50 cubic feet		19	10		18	4
— imported in a foreign ship, the load		1	8		18	4
Oak timber, 8 inches square or upwards, im-						
ported in a British built ship, the load, con-						
taining 50 cubic feet		9	11		9	2
— imported in a foreign ship, the load		10	4		9	2
Oars, imported in a British built ship, the 120		1	19		1	16
— imported in a foreign ship, the 120		2	1		1	16
Olive wood, imported in a British built ship,						
the ton, containing 20 cwt.		3	6		3	1
— imported in a foreign ship, the ton		3	8		3	1
Planks of Ireland, the 100 feet			2			6
Red or Guinea wood for dyers use, the ton		3	6			
Round wood, under 8 inches square, and un-						
der 6 feet in length, imported in a British						
built ship, the 120		13	3		12	3
— imported in a foreign ship, the 120		13	9		12	3
— if 6 feet in length, or upwards, import-						
ed in a British built ship, the 120		1	6		1	4
— imported in a foreign ship, the 120		1	7		1	4
Spars under 22 feet in length, and under 4						
inches in diameter, exclusive of the bark,						
imported in a British built ship, the 120			6			6
— imported in a foreign ship, the 120			6			2
— 22 feet in length, or upwards, and un-						
der 4 inches in diameter, exclusive of the						
bark, imported in a British built ship, the 120		11			10	2
— imported in a foreign ship, the 120		11	6		10	2
— 4 inches in diameter, and under 6 inches,						
exclusive of the bark, imported in a British						
built ship, the 120		1	4		1	2
— imported in a foreign ship, the 120		1	5		1	2
Speckled wood, the cwt.			4			4
Spokes for wheels, not exceeding 2 feet in						
length, imported in a British built ship, the						
1000			19			18
— imported in a foreign ship, the 1000		1	8			18
— exceeding 2 feet in length, imported in a						
British built ship, the 1000		1	19		1	16
— imported in a foreign ship, the 1000		2	1		1	16

Staves,

# 332 Importation and Exportation.

Inwards.	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Staves, not exceeding 36 inches in length, not above 3 inches thick, or 7 broad, imported in a British built ship, the 120 —		4			3	10
— imported in a foreign ship, the 120 —		4	1		3	10
— above 36, and not exceeding 50 inches in length, not above 3 inches thick, or 7 broad, imported in a British built ship, the 120 —		7	6		7	3
— imported in a foreign ship, the 120 —		7	7		7	3
— above 50 inches, and not exceeding 60 inches in length, not above 3 inches thick or 7 broad, in a British built ship, the 120 —	10				9	8
— imported in a foreign ship, the 120 —	10		1		9	8
— above 60 inches, and not exceeding 72 inches in length, not above 3 inches thick or 7 broad, in a British built ship, the 120 —	15				14	6
— imported in a foreign ship, the 120 —	15		1		14	6
— above 72 inches in length, not above 3 inches thick or 7 broad, in a British built ship, the 120 —	17		6		16	8
— imported in a foreign ship, the 120 —	17		7		16	8
— not above 3 inches thick, or 7 broad, and not exceeding 5 feet 3 inches in length, shall be deemed clapboards, and pay duty accordingly.						
— exceeding 5 feet 3 inches in length, and above 3 thick, or 7 broad, shall be deemed pipeboards, and pay duty accordingly.						
Sweet wood, the cwt. —	5		6		4	10
Timber of Ireland, the ton or load —	3				2	8
Timber, of all sorts not otherwise particularly enumerated, being 8 inches square, or upwards imported in a British built ship, the load containing 50 cubic feet —	6		8		6	4
— imported in a foreign ship, the load —	6		10		6	4
Ufers, under 5 inches square, and under 24 feet in length, imported in a British built ship, the 120 —	1	1	3	1		3
— in a foreign ship, the 120 —	1	1	9	1		3
— from 5 to 8 inches square, or if 24 feet in length, or upwards, imported in a British built ship, the 120 —	2	13		2	10	6
— imported in a foreign ship, the 120 —	2	14	5	2	10	6
Wainscot logs, 8 inches square or upwards, imported in a British built ship, the load, containing 50 cubic feet —	9		11	9		2
— imported in a foreign ship, the load —	10		4	9		2

Wood



# Importation and Exportation. 333

Inwards.			Duty.			Drawback		
	£.	s.	d.	£.	s.	d.		
Wood for dyers use, not enumerated, the cwt.		1	8					
Wood, unmanufactured, not otherwise enumerated, imported from any part of Europe, for every 100 l. of the value thereof	33			30	10			
Wood from America, (except masts, yards, and bowsprits), duty free; by 11 Geo. III. cap. 41. 8 Geo. I. cap. 12. 26 Geo. III. cap. 53, and 26 Geo. III. cap. 60.								
By 27 Geo. 3. c. 32. from May 10, 1787, the difference between the duties on wood before and after that day, may be added to the price of wood contracted for before, but not delivered till after that day.								
Wool, bever, duty free.								
— cut and combed, except combed in Russia, and imported from thence in British built ships, the pound		16	6					
— coney wool, the pound			1½					
— cotton wool, of the British plantations, free								
— not of the British plantations, the lb.			1			1		
— Estridge wool, in a British built ship, free								
— in a foreign ship, the cwt.		7	9		7			
— hare's wool, the lb.			1					
— Irish wool, combed or uncombed, duty free								
— lamb's wool, duty free.								
— Polonia wool, duty free.								
— red wool, duty free.								
— sheep's wool duty free.								
— Spanish wool, duty free.								
— Woollen cloths, the yard	1	17	5	1	13	1		
— manufactures, of all sorts, including hosiery ( <i>French</i> ), and imported directly into Great Britain, for every 100 l. of the value thereof	12							
<b>Y</b> ARN, cable, the cwt.		8	6					
— camel or mohair, the pound			7			6		
— cotton, the pound			3½			3		
— cotton of Ireland; free by 18 Geo. III. cap. 56.								
— grogram, the pound			8			7		
— Irish, the pack containing four cwt. at six score pounds to the cwt.	1	2				19	6	
— raw linen, the pound			1¼					
— wick yarn, the cwt.	1	12	8	1		8		
— woollen or bay yarn, the cwt.		14	8			13		
							Yarn	

# 334 Importation and Exportation.

Inwards.	Duty.			Drawback.		
	L.	s.	d.	L.	s.	d.
Yarn, woollen, of Ireland, <i>free</i> by 12 Geo. 2. c. 21. and 26 Geo. 2. c. 11. —						
— worsted, being of two or more threads, twisted or thrown, the lb. —			10			9
Goods, wares, and merchandize, prohibited to be used in this kingdom, but allowed to be secured in warehouses for exportation, not otherwise enumerated, for every 100l. of the value thereof —	7	10				
Goods, wares, and merchandize, not otherwise enumerated, and not prohibited to be used in Great Britain, but allowed to be secured in warehouses for exportation, for every 100l. of the value thereof —	2	10				
All other goods, wares, and merchandize whatever, not being particularly enumerated, or charged with duty, and not prohibited to be imported, or used in Great Britain, not exempt from duty, for every 100l. of the value thereof —	27	10		25		

By 8 Geo. 1. c. 15. confirmed by 27 Geo. 3. c. 13. on due entry at the custom house, all goods hereinafter enumerated, which are used for dying, may be imported duty free, viz. *agarick, annatto, antimonium crudum, aqua fortis, argoil, arsenick, bay berries, Brazil wood, Braziletto wood, cochineal, cream of tartar, fustick, galls, gum arabick, or gum senega, indico, isinglass, litmus, logwood, madder, madder roots, Nicaragua wood, orchal, orchelia, pomegranate peels, red wood, safflower, sal armoniack, sal gum, sappan wood, red sanders, shoemack, sticklack, turnsole, valonia, and verdigrease.*

## Rates outwards.

	Duty.		
	L.	s.	d.
<b>A</b> GARICK, trimmed or pared, foreign, the pound			3
— rough or untrimmed, foreign, the pound			1
Alum, British, the cwt. —	1		2
Annotto, foreign, the pound —			1
Antimonium crudum, foreign, the cwt. —			3
Aqua fortis, foreign, the gallon —			4
Argoil, foreign, the cwt. —			8
Arsenick, foreign, the pound —			0 1
Bayberries, foreign, the cwt. —			2
Brazil, or Fernambucca wood, foreign, the cwt.	1		
Braziletto, or Jamaica wood, foreign, the cwt.			8

Cambricks,





# 336 Importation and Exportation.

Outwards.		Duty.		
		£.	s.	d.
Hair not particularly enumerated, and not prohibited to be exported, for every 100 l. of the value		5	10	1
Horses, mares, or geldings, each		5	6	
Indico of all sorts, foreign, the pound				11
Isinglass, foreign, the cwt.				11
Lapis calaminaris, for every 100 l. of the value thereof		5	10	
Lead, cast or uncast, the fodder or ton, 20 cwt.		2	5	2
Lead ore, for every 100 l. of the value thereof		5	10	
Leather of all sorts, tanned, tawed, or dressed, the cwt.			1	2
Litharge of lead, the cwt.				3
Litmus, foreign, the cwt.				7
Logwood, foreign, the cwt.			1	2
— in British built ships, free by 7 Geo. 3. c. 47.				
Madder, foreign, the cwt.				10
Madder roots, foreign, the pound				0 1/4
Nicaragua wood, foreign, the ton, containing 20 cwt.		4	5	
Orchal, foreign, the cwt.			1	2
Orchelia, foreign, the cwt.				7
Pomegranate peels, foreign, the cwt.				5
Red or Guinea wood, foreign, the cwt.				10
Safflower, foreign, the pound				1
Sal armoniacum, foreign, the pound				0 1/4
Sapan wood, foreign, the cwt.				4
Saunders red, foreign, the cwt.				9
Sal gem, foreign, the pound				0 1/4
Shumac, foreign, the cwt.				5
Skins, badger, the piece				1
— beaver, the skin, or piece of skin				8
— beaver wool, or wombs, the pound			1	8
— calves, tanned, tawed, or dressed, the cwt.			1	2
— cat, the 100			1	6
— coney, dressed or tawed, the 120			1	2
— black, with or without silver hairs, dressed or tawed, the 120			3	
— dog, the dozen				2
— elk, raw, the piece			1	2
— fitches, the timber, containing 40 skins			1	10
— fox, the piece				1
— kid, in the hair, the 100				7
— — dressed, the 100				9
— otter, raw, the piece				0 1/4
— — tawed, the piece				1
— sheep and lamb, dressed without wool, the 120		2	9	
— — tanned, tawed, or dressed, the cwt.			1	2
— squirrel, the 1000		2	9	
— swan, the piece				2
— wolf, tawed, the piece				4

Skins,

Importation and Exportation. 337

Outwards.	Duty.
	£. s. d.
Skins not particularly enumerated, nor prohibited, for every 100 l. of the value thereof	5 10
Sticklac, foreign, the pound	0 5
Tin, unwrought, the cwt.	3 4
Turnfall, foreign, the pound	0 1
Valonia, foreign, the ton, containing 20 cwt.	3 11
Verdigrease, foreign, the pound	1
Wool, viz. beaver wool, the pound	1 8
All other goods, wares, and merchandize, of the production or manufacture of Great Britain, the exportation of which is not prohibited, may be exported without payment of duty, if regularly entered and shipped; on failure thereof, such goods, &c. shall be subject to duty, for every 100 l. of the value thereof	5 10

### *Rates, Coastwise.*

Rates, Coastwise.		Duty.			Drawback.		
		£.	s.	d.	£.	s.	d.
COALS, except charcoal made of wood, carried coastwise, except into the port of London, viz. in case they are such as are most usually sold by weight, the ton, containing 20 cwt.							
— in case they are usually sold by the chalders, or any other measure reducible thereto, the chalders containing 36 bushels			3	8		3	8
Culm, except into the port of London, the chalders, containing 36 bushels, Winchester measure			5	6		5	6
Cynders made of pit coal, to any port in Great Britain, for every chalders, containing 36 bushels			1	2		1	2
Coals, culm, and cynders, from the bridge of Stirling, on the frith of Forth, to the town of Dunbar, or to Redhead, or any part betwixt them; or from Ellen Foot to Hank End, in the county of Cumberland, or any place between them, <i>duty free</i>			5	6			
— except charcoal made of wood, brought coastwise into the port of London, viz. in case they are such as are most usually sold by weight, the ton, containing 20 cwt.			7			4	
— in case they are such as are most usually sold by the chalders, or any measure reducible thereto, the chalders			8	10		5	10

**Y**

**Culm,**

# 338 Importation and Exportation.

Coastwise.	Duty.			Drawback		
	£.	s.	d.	£.	s.	d.
Culm, brought coastwise into the port of London, the chalders, containing 36 bushels		4	5		1	5
Coals brought coastwise into the port of London, for the royal hospital at Chelsea, not exceeding 100 chalders by the year, the chalders		5	6			
— used for melting copper and tin ores, within the counties of Cornwall and Devon or in fire engines for the draining water out of the mines of tin and copper, within the county of Cornwall a drawback of all the duties paid thereon, by 9 Ann. c. 6. and 14 Geo. 2. c. 41.						
For all coals used in smelting copper and lead within the isle of Anglesea, or in fire engines for draining water out of the mines of copper and lead, within the said isle, a drawback of all the duties, provided the amount of such drawbacks shall not exceed the sum of 1500l. in any one year; 26 Geo. 3. c. 104.						
Culm, to be used for the burning of lime, viz. in ships or vessels, not exceeding 30 tons burthen, from the port of Milford to any other place within the counties of Pembroke, Carmarthen, Cardigan, or Merioneth, the chalders, containing 36 bushels		1	2			
By 27 Geo. 3. c. 32. the duties imposed by 27 Geo. 3. c. 13. on coals, culm, and cynders, brought coastwise, shall be charged on all coals which shall be carried by sea from one port and landed at another in Great Britain, except where otherwise provided in the said act.						
Wines, viz. French wine, in bottles above 3 dozen, or in a cask or casks, exceeding ten gallons in quantity, sent coastwise, or by land carriage, into the port of London, or to any place within the distance of twenty miles from the Royal Exchange, the ton containing 252 gallons		4	4			
— of any other sort sent in bottles, &c. (except Rhenish, German, and Hungary wines) the ton		2	16			



## India Goods.

Security shall be given that goods laden in the *Indies* shall be brought to *England*, 9 & 10 *Will.* 3. c. 44. 6 *Ann.* c. 3. and 13 *Geo.* 1. c. 8.

All goods imported from the *East Indies* shall be sold by inch of candle, on pain of forfeiture, 9 & 10 *Will.* 3. c. 44.

No wrought silks of *India*, or callicoos painted, shall be worn, 11 & 12 *Will.* 3. c. 10. and 10 *Geo.* 1. c. 11.

Such goods shall be imported only into the port of *London*, to be put into warehouses, and exported again. *Ibid.*

Proof where the goods were manufactured to lie on the owner. *Ibid.*

Painted callicoos mean as well such whereof the materials were stained before the making, as those which were stained afterwards, 12 and 13 *Will.* 3. c. 11.

Securities given for re-exporting *India* wrought silks, shall be delivered up, if no prosecution be within three years, 8 *Ann.* c. 13.

No *East India* goods shall be imported from foreign parts into *Ireland*, 5 *Geo.* 1. c. 11.

Painted silks, callicoos and the like unmarked, are forfeited. *Ibid.*

*East India* goods carried into *Ireland*, *Jersey*, *Guernsey*, or *Man*, not laden in *Great Britain*, shall be forfeited, with the ship, 7 *Geo.* 1. stat. 1. c. 21. and 12 *Geo.* 2. c. 22.

The time for sale of unrated *East India* goods, enlarged to three years, 7 *Geo.* 1. stat. 1. c. 21.

The prohibition in 11 & 12 *Will.* 3. c. 10. of using *India* silks, callicoos, and the like, not to extend to furniture thereof, made up before 25 *December*, 1722, 10 *Geo.* 1. c. 11.

*East India* goods may be taken out of the warehouses to be refreshed, 15 *Geo.* 2. c. 31. See *Excise and Customs, Division, Linen Cloth*, &c.

## Infants.

By 20 *Hen.* 3. c. 5. usuries shall not run against any being within age, from the time of the death of his ancestor, unto his lawful age.

By 6 *Ed.* 1. c. 2. parol shall not demur, where the justices award an inquest, touching the feoffment of the ancestor, though the plaintiff is within age.

By 13 *Ed.* 1. c. 15. where an infant is eloigned, his next friend shall be admitted to sue.

A woman's suit, on alienation by the husband during coverture, shall not be deferred, for nonage of the heir that ought to warrant. *Ibid.* c. 40.

By 7 *Ann.* c. 19. infants seized of estates in trust, or by way of mortgage, may make conveyances of the same by direction of the court of chancery. *Extended to counties palatine*, by 4 *Geo.* 3. c. 16.

## Information.

By 4 *Will. & Mar. c. 18*: the clerk of the crown shall exhibit no information for trespass or misdemeanour, except by order of court, nor issue process, till prosecutor has given 20*l.* recognizance to prosecute, whereof a memorandum is to be filed; and the defendant shall have costs, if the cause is not tried within one year after issue joined.

This act only extends to informations by the master of the crown office; and defendants (unless they desire it) shall not plead again upon the king's demise.

## Innholders.

By 21 *Jac. 1. c. 21*: no innkeeper shall make horse bread, unless no baker dwells in the town; but they shall sell provender according to the market; and if they do not make it of due assize, they shall, for the first offence, be fined, for the second, imprisoned one month, for the third, be put upon the pillory, and afterwards be disabled to keep an inn.

## Inquest and Inquisition.

By *Mag. Chart. 9 Hen. 3. c. 26*: nothing shall be given for a writ of inquisition of life or member, but it shall be granted freely.

By 3 *Ed. 1. c. 11*: inquest of murder shall be by lawful men, chosen out by oath, of no affinity with the prisoners.

## Inrolment.

By 27 *Hen. 8. c. 16*: no estate of inheritance, or freehold in lands, or use thereof, shall pass by only bargain and sale, unless by writing indented, sealed, and inrolled, in six months, in one of the king's courts of record, at *Westminster*, or within the county where the lands lie, or before the custos rotulorum. But this does not extend to cities or boroughs having authority to inroll deeds.

By 34 & 35 *Hen. 8. c. 22*: all cities and towns corporate, where usual, may inroll the same.

By 10 *Ann. c. 18*: a copy of the inrolment of a bargain and sale, signed by a proper officer, shall be as effectual as if the indenture had been produced.

## Insurance.

By 9 *Ann. c. 6*: persons setting up insurances on marriages, births, christenings, and service, shall forfeit 500*l.*

By

By 6 Geo. 1. c. 18. the king may grant charters for incorporating of two distinct companies for assurance of ships and goods at sea, or going to sea, and for lending money on bottomree. Each corporation may purchase lands of 1000*l.* *per annum*; and they shall provide a sufficient stock to answer all demands on their policies, not exceeding 1,500,000*l.* and on neglect may be sued. Their stock shall be tax free. *Ibid.*

During the two corporations, no other corporations or societies, may assure ships, or the like; but any private or particular person may. *Ibid.*

None may be a governor, director, or proprietor of stock in both the corporations at the same time. *Ibid.*

The *South-sea* and *East India* companies, may lend money on the bottom of any ship to their captains. *Ibid.*

By 7 Geo. 1. c. 27. the *London* assurance, and royal exchange assurance companies, were discharged of so much of the 300,000*l.* which they were each to have paid by the last act to the king as then remained unpaid.

By 8 Geo. 1. c. 15. the said companies shall be liable to single damages only, with full costs.

By 11 Geo. 1. c. 30. the insurance companies may plead the general issue in actions of debt, or of covenant, brought against them, and the jury shall give so much as the plaintiff appears intitled to.

Policies of insurance shall be stamped, on pain of 100*l.* and all promissory notes for insurances, shall be void.

By 12 Geo. 2. c. 21. all policies of insurance on vessels exporting wool, shall be void.

By 19 Geo. 2. c. 32. the assured in any policy of insurance may be admitted to claim, under a commission of bankruptcy, and after the contingency shall have happened, to prove his demand, in like manner as if it had happened before the insurer's bankruptcy.

By 19 Geo. 2. c. 37. no assurance shall be made on ships or effects of subjects, *interest or no interest.*

Assurance on private ships of *war* may be made *interest or no interest.* *Ibid.*

Such assurance may be made on effects from places belonging to the crowns of *Spain* and *Portugal.* *Ibid.*

Reassurance not lawful, unless the assurer shall be insolvent, and the policy expressed to be a reinsurance. *Ibid.*

Money lent on bottomree on ships to and from the *East Indies*, shall be only on the ship, and the goods expressly laden, and the borrower shall recover no more assurance than the value of his interest. *Ibid.*

In all actions on policy of insurance, the plaintiff shall declare in writing, within fifteen days after he is required, what sums he hath assured in the whole. *Ibid.*

The defendants may bring the money into court, and the jury not assessing larger damages, such plaintiff shall pay costs. *Ibid.*

By 14 Geo. 3. c. 48. insurance on lives, or other event, where the insurer hath no interest, void; and persons names interested, to



be inserted in the policy, and not to recover more than the value of such interest; but not to prevent the insurance of ships, *bona fide*.

## Interest of Money.

By 14 *Geo. 3. c. 79.* all mortgages of land in *Ireland*, or the colonies, executed in *Great Britain*, shall be as good as if where the lands lie, and not subject to 12 *Ann. stat. 2. c. 16.* (*see title Usury*) and all transfers of mortgages, there good, if not more lent than the value of the land, and borrowing more than the value, to forfeit treble the sum, half to the informer, and the other to *Greenwich* hospital, and all mortgages are to be registered in the colonies.

## Jointures.

By 11 *Hen. 7. c. 20.* alienation by the wife of lands which were the inheritance of her husband, and held jointly with him, shall be void.

By 27 *Hen. 8. c. 10.* a woman having lands in jointure, shall not claim lands of her husband in dower.

A woman whose jointure is evicted, shall be endowed; and a jointure made after marriage, unless by act of parliament, may be taken or refused by the wife. *Ibid.*

## Ireland.

By 17 *Ed. 1. c. 1.* the king's officers in *Ireland* shall purchase no lands within their bailiwicks, without the king's special licence; they shall not arrest ships or goods of merchants exporting from *Ireland*, and paying the customs due. The marshal's fee in *Ireland*, on commitment, shall be 4 *d.* and no more. The justices of *Ireland* shall grant no pardon of murder or felony, without commandment under some of the seals of *England*. Original writs shall be sealed under the great seal of *Ireland*, saving the exchequer there. And assises of novel disseisin in *Ireland*, shall not be adjourned but in the county.

By 31 *Ed. 3. stat. 4.* the church and people of *Ireland* shall enjoy their liberties and free customs. The greater affairs of *Ireland* shall be determined by the council in parliament. The king's ministers shall not be guided by their own private counsellors. The marches of *Ireland* shall be defended from homicides and robbers, and hue and cry shall be made.

Charters of pardon of felonies shall be made only in parliament, and shall specify the felony. *Ibid.*

The prelates and council of *Ireland* shall be punished, if they certify the state thereof untruly. None of the king's ministers shall commit maintenance or champerty. Writs of trespass, debt, and other pleas belonging to the common law, shall not be determined in

in the exchequer at *Dublin*. Bills containing suggestions against the king's officers in *Ireland*, shall be transmitted only under the seal of the chancery of *England*. *Ibid.*

The sheriffs in *Ireland* shall account yearly for debts, green wax, &c. Debtors paying their debts into the exchequer, shall be discharged. The justices of *Ireland* shall not arrest or imprison persons, without due presentments, indictments, or the like. The justices of *Ireland*, together with a prelate, and a neighbouring earl, and the chancellor and treasurer, and other justices and barons, shall yearly take an inquisition of the doings of the king's officers. They shall take an inquisition concerning the dissensions between the king's subjects in *Ireland* and the *English*, and punish the maintainers. And the farmers of the office of clerk of the market, taking rewards for not examining the measures, shall be prosecuted. *Ibid.*

By 34 *Ed. 3. c. 17.* all merchants may come and trade in *Ireland* without ransom, saving the king's ancient customs; and people of *England*, who have lands there, may carry their corn, beasts, and victuals, to and from thence.

By 1 *Hen. 5. c. 8.* those who have benefices or offices in *Ireland* shall dwell thereupon.

By 1 *Hen. 6. c. 3.* *Irishmen* shall not be principals of any hall; and they shall find surety for their good behaviour; and by 2 *Hen. 6. c. 8.* the chancellors in the universities, and mayors in towns, shall take such sureties.

By 3 *Will. & Mar. c. 2.* bishops, peers, ecclesiastical persons, heads and fellows of the university, barristers at law, attornies, doctors of physic, and all officers in the government in *Ireland*, in the court of chancery, king's bench, or quarter sessions, shall take the oaths of allegiance and supremacy, on pain of being disabled, and forfeiting 500*l.* And any person above the age of eighteen, not taking the oaths, being required by two magistrates, shall be imprisoned for three months. *Also 1 Ann. stat. 2. c. 17.*

By 11 *Will. 3. c. 2.* the forfeited estates in *Ireland* shall be sold, reserving rents for the support of the government there.

By 1 *Ann. stat. 1. c. 32.* persons in *Ireland*, of the Popish religion, being under the age of eighteen, and not taking the oaths within six months after attaining that age, shall be incapable of inheriting any lands, and the same shall go to the next of kin who is a protestant.

Papists are incapable of purchasing any of the forfeited estates in *Ireland*, and leases thereof shall be made only to protestants, except of any cottage or cabin to a day labourer, under the yearly value of 30*s.* and not more than two acres of land. *Ibid.*

By 4 *Ann. c. 7.* wool may be exported from *New Ross* in *Ireland* into the ports of *Bideford*, *Barnstaple*, *Minehead*, *Bridgewater*, *Bristol*, *Milford Haven*, *Chester*, and *Liverpool*, (*see 10 Will. 3. c. 10. under title Manufactures, Wool.*)

By 6 *Geo. 1. c. 21.* ships of fifty tons, hovering on the coasts of *Ireland* within two leagues of shore, officers may enter such ships to take an account of their lading, and take security of the masters for proceeding regularly on their voyage.

Commissioners of excise in *Ireland* may determine all offences relating to unlawful exportation of wool, woollens, and the like; but none may claim property in any such seizure in *Ireland*, until they have given security for the penalties. *Ibid.*

By 12 Geo. 2. c. 21. the duties on woollen or bay-yarn from *Ireland* were taken off.

By 19 Geo. 2. c. 12. no foreign glass, by what name soever it may be called, shall be imported into *Ireland*.

No glass shall be exported from *Ireland*. *Ibid.*

By 5 Geo. 3. c. 1. made perpetual by 16 Geo. 3. c. 8. salted beef, pork, bacon, and butter, may be imported from thence, on payment of salt duties, viz.

			<i>l.</i>	<i>s.</i>	<i>d.</i>
For beef or pork per barrel	—	—	0	3	4
For dried beef tongues, the cwt.	—	—	0	1	3
For salt butter, the cwt.	—	—	0	0	4

And no drawback on exportation.

See the new rates whereby the above articles are exempt from custom duties.

By 15 Geo. 3. c. 7. and 16 Geo. 3. c. 8. potatoes and pulse, may be imported from *Ireland* duty free.

By 5 Geo. 3. c. 10. and 16 Geo. 3. c. 8. free importation of all cattle from *Ireland* is allowed.

By 6 Geo. 3. c. 46. gum senega, and gum arabic, may be exported to *Ireland*, not more than thirty tons in one year.

By 7 Geo. 3. c. 2. non-enumerated goods from *America* may be landed in *Ireland*.

By 8 Geo. 3. c. 13. the peace establishment in *Ireland* shall be 15,235 men.

By 12 Geo. 3. c. 55. goods prohibited to be imported from *Ireland*, shall not be exported from thence to *Great Britain*, or if entered for foreign ports, not landed in *Great Britain*, on forfeiture of the drawback, and treble the value, with the ship.

Rum of the colonies shall not be imported to *Ireland* in ships under 70 tons, nor foreign spirits in ships under 100 tons (except two gallons for the use of each seaman) on forfeiture, with the ship, and the whole may be seized and condemned in *Ireland*. *Ibid.*

By 15 Geo. 3. c. 34. and 27 Geo. 3. c. 13. rape, and other seeds producing oil, may be imported from *Ireland* at 1*s.* per last, and rape cakes for manure duty free.

Clothing and accoutrements for the forces abroad in *Irish* pay, may be exported from *Ireland* directly, and an additional bounty of 5*s.* per hoghead for flax seed imported into *Ireland*. *Ibid.* c. 45.

By 16 Geo. 3. c. 41. and 18 Geo. 3. c. 43. the like on flax seed, the growth of the *United Provinces*, or the *Austrian Netherlands*, imported to *Ireland*.

By 18 Geo. 3. c. 55. all goods, the manufacture or produce of *Ireland*, (except wool, and woollen, and cotton goods, hats, glass, hops, gunpowder, and coals) may be exported to *America* or *Africa*, in ships which may lawfully trade there, as well as *British* goods which have been exported to *Ireland* (except woollen and glass) and likewise



likewise all foreign certificate goods, but not foreign linens, bar iron, or iron wares, until certain duties are laid on iron by the *Irish* parliament; but if a bounty be granted there on the exportation of iron, this liberty shall cease.

No cotton manufactures shall be exported from *Ireland* to *America*, without certificate, on forfeiture of the goods, and the liberty of exporting *Irish* manufactures shall not take place, till duties are laid thereon equal to those in *Great Britain*. *Ibid.*

Cotton yarn, manufactured in *Ireland*, may be imported into *Great Britain* duty free, on certificate. *Ibid.*

The 19 *Geo.* 3. c. 37. grants premiums on the importation into *Great Britain* of *Irish* hemp from June 24, 1779, viz.

		<i>l.</i>	<i>s.</i>	<i>d.</i>
The first seven years per ton	—	8	0	0
The second seven years	—	6	0	0
The third seven years	—	4	0	0

If exported again, the premium to be repaid, besides the duties, and importing foreign hemp for *Irish*, penalty 100 *l.* and forfeiture of the ship. *Ibid.*

By 10 *Geo.* 3. c. 6. so much of any *British* acts of parliament as prohibit or restrain the exportation of woollen manufactures from *Ireland* to foreign parts, are repealed, and so much of 19 *Geo.* 2. c. 12. as extends to the exportation of glass of any kind from *Ireland* is repealed.

Any goods which may be imported from *British America*, or settlements in *Africa* to *Great Britain*, may be imported directly to *Ireland*, and exported from thence in the same manner, if the *Irish* parliament impose the same duties as paid in *Great Britain*. *Ibid.* c. 10.

So much of 22 & 23 *Car.* 2. c. 26. as requires the word *Ireland* to be omitted in bonds for unloading plantation goods in *England* is repealed; and 4 *Geo.* 3. c. 15. (*see plantations*) shall not extend to goods imported from *Ireland*, if the clearance be from *Great Britain* or *Ireland*. *Ibid.*

If the duties or drawbacks be altered in *Great Britain*, this liberty shall continue till four months after the *Irish* parliament sits; and this act is not to restrain the export to, or import from, *America* or *Africa*, allowed to the *Irish* by any former act; but not to permit trading with the *American* colonies during the prohibition. *Ibid.*

The 19 *Hen.* 7. c. 5. and all other acts prohibiting the carrying corn to *Ireland*; and so much of 9 *Ann.* c. 12. as prohibits the exportation of hops thither; and 6 *Geo.* 1. c. 11. to take off the drawbacks on hops exported to *Ireland*, repealed. *Ibid.* c. 18.

Goods from the *Levant*, which may be imported to, or exported from *Great Britain* by freemen of the *Turkey* company, may be so imported and exported to and from *Ireland*; and oaths as to admission of freemen may be administered by justices of the peace in *Ireland*. *Ibid.*

By

By 23 *Geo. 3. c. 28.* the rights claimed by the people of *Ireland*, to be bound by *Irish* acts of parliament, and have all actions and suits decided there without appeal, were firmly established: and no writ of error or appeal from the courts in *Ireland*, shall be received by any court in *Great Britain*.

## Iron.

By 28 *Ed. 3. c. 5.* iron shall not be carried out of the realm of *England*.

By 2 & 3 *Ed. 6. c. 27.* none may forge or sell gadds of iron like in fashion to gadds of steel.

By 5 *Will. & Mar. c. 17.* all manner of iron, except gun, pot, or shruff metal, may be exported, paying the lawful duties.

By 7 *Will. 3. c. 10.* bar iron, unwrought, and hammered iron, other than *Swedish* or foreign, may be imported from *Ireland*.

By 2 *Ann. c. 9.* no drawback shall be allowed on re-exportation of wares made of foreign wrought iron or steel; nor upon iron or steel by 9 *Ann. c. 6.*

By 23 *Geo. 2. c. 29.* pig iron, made in the *British* colonies in *America*, may be imported duty free, into any port in *Great Britain*, and bar iron into the port of *London*.

By 30 *Geo. 2. c. 16.* bar iron, made in the *British* colonies in *America*, may be imported duty free into any port in *Great Britain*.

By 9 *Geo. 3. c. 35.* so much of the duties on the importation of *Irish* *American* iron in foreign ships, as exceeds such duties, if imported in *British* ships, shall not be drawn back on the exportation, and pig and bar iron, masts, and like stores, shall not be exported till offered to the commissioners of the navy, on forfeiture thereof.

## Judgments.

By 14 *Ed. 3. stat. 1. c. 5.* delays of judgments in other courts, shall be redressed by peers commissioned in parliament.

By 4 *Hen. 4. c. 23.* judgments given in the king's courts, shall continue until they are reversed by attain or error.

By 29 *Car. 2. c. 3.* the officer who signs judgments, shall enter the date, and such judgments as against purchasers, shall relate only to such time as they were signed.

By 4 & 5 *Will. & Mar. c. 20.* judgments for debt, or damages in the courts at *Westminster*, shall be docketed alphabetically the succeeding term by the respective clerks, on pain of 100*l.* The fee for searching is 4*d.* a term.

Judgments not docketed shall not affect, nor have preference against purchasers, mortgagees, or heirs. *Ibid.*

The plaintiffs in such judgments shall pay to the clerk of the judgments an additional fee of 4*d.* and no more. *Ibid.*

## Judges.

By 10 *Hen. 6. stat. 2.* the judges shall be paid half yearly, in the terms of *Easter* and *St. Michael*.

By 12 & 13 *Will. 3. c. 2.* the judges commissions shall be *quamdiu se bene gesserint*, their salaries ascertained, but may be removed upon address of both houses of parliament.

By 32 *Geo. 2. c. 35.* the sum of 500 *l. per ann.* in augmentation of the salaries of each of the puisne judges, was granted.

By 1 *Geo. 3. c. 23.* judges commissions shall continue during good behaviour, notwithstanding any demise of the king.

But they may be removed by the crown, upon address of both houses of parliament. *Ibid.*

Their salaries shall be secured during the continuance of their commissions. *Ibid.*

By 12 *Geo. 3. c. 30.* out of the surplus stamp duties by 32 *Geo. 2. c. 35.* 2 *Geo. 3. c. 36.* and 5 *Geo. 3. c. 35.* 300 *l. per ann.* shall be paid to the chief justice of *Chester*, and 200 *l.* each to the second justice, and the other judges of *Wales* to augment their salaries.

By 19 *Geo. 3. c. 65.* out of the surplus of stamp duties, and deduction of 6 *d.* per pound out of salaries, 400 *l. per ann.* shall be paid to the puisne judges of the king's bench and common pleas, and the barons of the exchequer each, and to the chief baron 500 *l.*

When assizes are held in any city or town in *England*, being a county of itself, the judges lodgings shall be deemed in the county at large, and also in such city or town. *Ibid. c. 74.*

By 27 *Geo. 3. c. 13.* the payment of the judges salaries shall be made out of the consolidated fund. (*See page 268.*)

## Juries.

By 52 *Hen. 3. c. 14.* persons having charters of exemption from serving on juries, shall notwithstanding be sworn where justice cannot be administered without them, saving their liberty at other times.

By 13 *Ed. 1. c. 38.* in one assize no more shall be summoned than twenty-four old men above seventy. Persons diseased, not dwelling in that county, shall not be put in juries, nor any that may dispend less than 20 *s.* yearly.

By 21 *Ed. 1. stat. 1.* recognizors in assises triable out of their proper counties, shall have lands to the yearly value of 5 *l.* and in such inquests within the county 40 *s.* yearly, in cities and towns saving their customs.

By 28 *Ed. 1. stat. 3. c. 9.* and 34 *Ed. 3. c. 4.* sheriffs shall not impanel over many persons but such as be next neighbours, most sufficient, and least suspicious.

By 33 *Ed. 1. stat. 4.* he that challengeth a jury or a juror for the king, shall shew the cause, and the taking the inquisition shall proceed, as the challenges be found true or not.

By



By 5 *Ed. 3. c. 10.* and 34 *Ed. 3. c. 8.* any juror taking reward of either party shall be disabled, imprisoned, and ransomed at the king's will.

By 25 *Ed. 3. stat. 5. c. 3.* no indictor shall be put in inquests, if he is challenged for that cause.

By 38 *Ed. 3. stat. 1. c. 12.* a juror taking reward to give his verdict, shall pay ten times as much as he has taken, or be imprisoned one year.

By 42 *Ed. 3. c. 11.* sheriffs shall array the panels in assises four days at least before the sessions, that the parties may view the same if they demand it.

By 11 *Hen. 4. c. 9.* jurors in indictments shall be returned by the sheriff without the denomination of any, else the indictment shall be void.

By 2 *Hen. 5. stat. 2. c. 3.* jurors who are to pass in an inquest touching life, plea real, or damages of forty marks, shall have lands of 40 s. yearly value.

By 8 *Ed. 4. c. 3.* in actions triable by jurors in *Middlesex*, they shall be called the fourth day after the return, and their appearance shall be recorded.

By 1 *Ric. 3. c. 4.* jurors impanelled in the sheriff's turn shall have lands of the yearly value of 20 s. at the least, or copyhold of the yearly value of 26 s. 8 d. on pain of 40 s. for each juror returned contrary hereto.

By 3 *Hen. 8. c. 12.* panels returned to enquire for the king, may be reformed by the justices of gaol delivery or peace, and sheriffs shall return the panels so reformed, under the penalty of 20 l.

By 23 *Hen. 8. c. 13.* trials of felons in corporations may be by freemen worth 40 l. in goods.

By 35 *Hen. 8. c. 6.* the forms of writs for convening of jurors are settled, and on the first writ the sheriff shall return in issues upon each person impanelled 5 s. the second 10 s. the third 13 s. 4 d. and upon every other double till a full jury come.

At *nisi prius*, where a full jury shall not appear, on request of either party, a *tales de circumstantibus* may be awarded with leave of challenge. *Ibid.*

Yet the jurors making default shall lose issues; but upon a reasonable excuse proved by two witnesses, the justices may discharge such issues. *Ibid.*

By 4 & 5 *Phil. & Mar. c. 7.* and 14 *Elix. c. 9.* a *tales de circumstantibus* may be awarded in issues joined between the king and the party in suits *qui tam*, and in the courts in the twelve shires of *Wales*, and in the counties palatine of *Chester*, *Lancaster*, and *Durham*.

By 27 *Elix. c. 6.* jurors who ought by the laws to have 40 s. yearly, shall hereafter have 4 l. yearly.

Sheriffs returning issues upon a juror not summoned shall forfeit double the value, and taking reward for not returning a juror, he shall forfeit 5 l. *Ibid.*

There shall be no challenge for the hundred, if two sufficient hundredors appear: this act does not extend to juries returned in any corporate town, or in *Wales*. *Ibid.*

The dwelling place of every juror shall be returned, and in every estreat of issues his addition, on pain of five marks. *Ibid.* c. 7.

By 4 & 5 Will. 3. Mar. c. 24. all jurors for trials of issues at the assises or *nisi prius* (other than trials *per medietatem linguæ*) shall have 10*l.* a year in lands, and in *Wales* 6*l.* a year.

Sheriffs returning jurors without six days summons, or excusing for reward, shall forfeit 10*l.* saving to all towns their ancient usage. *Ibid.*

Jurors may serve upon the *tales* having 5*l.* per ann. and in *Wales* 3*l.* per ann. and any officer taking a fee for returning any *tales* shall forfeit 10*l.* *Ibid.*

No writ *de non ponendis in assis et juratis* shall be granted, unless upon oath, that the suggestions are true. *Ibid.*

By 7 Will. 3. c. 32. if the plaintiff sues a *venire*, and proceeds not to trial, a new one may be sued, and the issue tried at any other assise.

On default of a sufficient number of jurors, the sheriff shall return a *tales* out of some other panel returned to serve at the same assises, who may be challenged. *Ibid.*

Constables on pain of 5*l.* shall give in a list of persons between the age of twenty-one and seventy, fit to serve on juries, with their places of abode, duplicates to be delivered to the sheriffs, and entered by the clerk of the peace, and no sheriff shall impanel persons not named in the lists. *Ibid.*

Summons shall be made under seal six days before the juror is to serve, and in case of absence from his usual habitation, notice shall be left under the officer's hand. *Ibid.*

Sheriffs acting contrary hereto are to forfeit 20*l.* *Ibid.*

None shall be a juror in *Yorkshire* above once in four years, except the city of *York* and *Kingston upon Hull*. One pannel of forty-eight freeholders, ten pannels of twenty-four jurors, and not above forty persons shall be returned at the grand inquest on any one quarter sessions for *Yorkshire*. *Ibid.*

This act shall not extend to *London*, nor towns corporate. *Ibid.*

By 8 Will. 3. c. 10. all justices of peace shall issue their precepts yearly at *Michaelmas* to the constables to make return of persons to serve on juries.

By 1 Ann. stat. 2. c. 13. persons in the county of *York* having an estate of 150*l.* per ann. shall not be returned as jurors at sessions. But if they serve as jurors at any sessions, they shall not thereby be exempted from serving as jurors at the assises, also 10 Ann. c. 14.

By 3 Geo. 2. c. 25. lists of jurors qualified according to 7 Will. 3. c. 32. shall be made from the rates in each parish, and yearly fixed upon the church doors, and persons inserted by mistake may be relieved at the quarter sessions.

Wilfully omitting or inserting wrong persons forfeits 20*s.* Duplicates of the lists shall be transmitted from the quarter sessions by the clerk of the peace to the sheriff. *Ibid.*

Sheriff returning any person whose name is not in the duplicate, or clerk of assise recording appearances, when the party did not appear,

pear, shall be fined by the judge, not more than 10*l.* nor less than 40*s.* *Ibid.*

No person shall be returned as a juror who has served within one year before, in the county of *Rutland*, or of two years before in any other county, not being a county of a city. *Ibid.* But this by 4 *Geo.* 2. c. 7. shall not extend to *Middlesex*.

Sheriffs shall enter the names of those who have served; and upon application shall give a certificate without fee. *Ibid.*

Officer taking money to excuse persons from serving, may be fined 10*l.* by the judge. *Ibid.*

Constables may subscribe their lists before one or more justices of peace upon oath; and being so attested, transmit the same to the sessions. *Ibid.*

Sheriffs on the return of writs of *venire* shall annex a pannel of jurors. *Ibid.*

Officer for return of jurors in *Wales*, and in the counties palatine, shall, eight days before every grand session, summon a competent number of persons qualified for jurors. *Ibid.*

The names of persons impanelled shall be written on separate pieces of paper, and delivered to the marshal of assize, to be drawn indifferently out of a box till twelve appear to try the issue. *Ibid.*

Where such jury have not brought in their verdict, twelve others may be drawn for trial of the next cause. *Ibid.*

The judge may fine jurors not appearing not less than 40*s.* nor more than 5*l.* *Ibid.*

Where a *view* shall be allowed in any cause, six or more of the jurors may be named by consent of the parties, or by the proper officer. *Ibid.*

In trials of issues at *Westminster*, on motion of either of the parties, the judges may order a special jury to be struck before the proper officer, *Ibid.* extended by 6 *Geo.* 2. c. 37. to the counties palatine.

The party applying for such jury shall pay the fees for striking, which are not to be allowed upon taxation of costs. *Ibid.*

Where a special jury is ordered in any cause trying in a city, the list of persons qualified shall be brought to the proper officer. *Ibid.*

Persons having any estate in land of 20*l.* per ann. are qualified to be inserted in the lists. *Ibid.*

No juror shall be returned for trial of any capital offence who would not be qualified in such place to be a juror in civil causes. *Ibid.*

By 4 *Geo.* 2. c. 7. no person shall be returned as a juror in *Middlesex*, who has been returned in the two terms preceding.

Leaseholders in *Middlesex*, where the improved rents amount to 50*l.* per ann. shall be liable to serve on juries. *Ibid.*

By 24 *Geo.* 2. c. 18. persons applying for special juries shall pay the expences of striking, and also all the charges occasioned by the trial, without allowance upon taxation of costs, unless the judge shall certify that the cause was proper to be tried by special jury.

No person serving on such jury shall take more than the judge shall think reasonable, not exceeding 1*l.* 1*s.* except where a *view* was directed. *Ibid.*



*Venire* for trial of issues upon penal statutes or the like, shall be awarded of the body of the county where triable. *Ibid.*

No challenge shall be taken to any pannel of jurors for want of a knight's being returned. *Ibid.*

## Justices.

### *Justices of Assise.*

By 13 *Ed. 1. c. 30.* two justices sworn with associate knight shall but thrice a year take assizes and attaints by *nisi prius* in the country, unless the trespass need great examination, and be adjourned into the bench; they shall not compel the jurors to say precisely disseisin or not, so they do shew the truth of the deed.

By 27 *Ed. 1. stat. 1. c. 3.* justices of assise, if both be laymen, shall be also justices of gaol delivery.

By *stat. of justices of assise incerti temporis*, assises, juries, and inquests of *Middlesex*, shall be taken before the justices of the bench, and there shall be eight justices of assise appointed, *viz.* two in *Kent, Essex, Suffolk, Norfolk, Cambridge, Huntingdon, Bedford, and Buckingham*; two in the counties of *Lincoln, Leicester, Warwick, Stafford, Salop, Northampton, Rutland, Gloucester, Hereford, and Wigborn*; two in the counties of *Cornwall, Devon, Somerset, Dorset, Wilts, Southampton, Oxon, Berks, Suffex, and Surrey*; and two in the counties of *York, Northumberland, Westmorland, Cumberland, Lancashire, Nottingham, and Derby.*

By 2 *Ed. 3. c. 2.* justices of assise and gaol delivery shall be men good and lawful.

By 4 *Ed. 3. c. 2.* justices of assise, if there can be found sufficient, shall be of persons other than of the shires to take assises, and deliver the gaols; the keepers of the peace shall send their indictments before them, and they shall enquire of sheriffs, gaolers, and others, at least three times a year.

By 20 *Ed. 3. c. 3.* justices of oyer and terminer, of assise and association, and of gaol delivery, shall take an oath enjoined by the council before their commission delivered.

Justices of assise shall have commission to enquire of sheriffs, bailiffs of franchise and others, and of maintainors, embraceors, and of profits for putting in suspected jurors, with power to punish them. *Ibid. c. 6.*

By 38 *Ed. 3. stat. 1. c. 3.* all  *fines*  taken before justices, shall be in the presence of the *pledges*.

By 6 *Ric. 2. c. 5.* justices of assise and gaol delivery shall hold their sessions in the principal towns of the counties where the shire courts be held.

By 8 *Ric. 2. c. 2.* no man of law shall be justice of assise, or gaol delivery in his own county; the chief justice of the common bench shall be assigned to take assises, and deliver gaols, the chief justice of the king's bench, as most used an hundred years last.

By 11 *Ric. 2. c. 11.* the keeping of assises in good towns, as need requires, is to be referred to the chancellor, by advice of the justices.

By

By 20 Ric. 2. c. 3. no lord, nor other of the country shall sit upon the bench with the justices to take assises, nor be suffered by the justices.

By 14 Hen. 6. c. 3. the justices in *Cumberland* shall hold their sessions in time of peace in the city of *Carlisle* only.

By 33 Hen. 8. c. 24. no man shall be justice of assise in the county where he was born or inhabits, on pain of 100 l. But this is not to extend to associates of assise, mayors, recorders, and other officers of corporate towns; nor to assises in either bench, or by adjournment for difficulty; or to justices of assise or justice clerks in the county palatine of *Lancaster*.

No clerk of assises shall act as counsel on the circuit, on pain of 10 l. *Ibid.*

By 1 Geo. 1. c. 45. the assises for *Cornwall* shall not be confined to the town of *Launceston*, but the lord chancellor, with advice of the justices of assise, may from time to time appoint a convenient place in that county.

By 12 Geo. 2. c. 27. the judges may act as justices of oyer and terminer or gaol delivery, notwithstanding they were born or inhabitant in the county, without being liable to any penalty.

By 21 Geo. 2. c. 12. the summer assises for the county of *Buckingham* shall be held at the town of *Buckingham* only, unless in cases of exigency during the continuance thereof.

### *Justices of both Benches.*

By 3 Ed. 1. c. 46. the justices of the king's bench, and of the bench shall decide all pleas determinable at one day, before any new one be arraigned or commenced the day following.

By 28 Ed. 1. c. 5. the chancellor and justices of the king's bench shall follow the king.

By 18 Ed. 3. stat. 4. the king's justices shall take an oath, well and lawfully to serve the king and his people in the office of justice.

By 20 Ed. 3. c. 1. & c. 2. all the king's justices shall do right to all persons without regard to letters or commandments. They shall certify all illegal commandments, shall take no fee of any but the king, and shall give no counsel where the king is party.

By 10 Hen. 6. stat. 2. the judges, serjeants, and attorney of the king shall be paid half-yearly in *Easter* and *Michaelmas* term by the treasurer of *England*.

### *Justices in Eyre.*

By 52 Hen. 3. c. 24. they shall not amerce townships in their circuits, because all of twelve years old came not to inquests, and the like; so that there came sufficient, except inquests for the death of man,

By

By 3 *Ed. 1. c. 18.* the common fine and amerciament of the county shall be assessed before the justices in eyre, and estreated.

By 13 *Ed. 1. c. 10.* the justices in eyre shall appoint a time when writs before them shall be delivered, and no writ shall be received after the same time, and any person may make his general attorney for their circuit.

## Justices of Peace.

By 1 *Ed. 3. c. 16.* in every county good men and lawful shall be assigned to keep the peace.

By 2 *Ed. 3. c. 6.* justices shall have authority to punish disobeyers of 13 *Ed. 1. stat. 2. c. 6.* (see title *Robbery*) and resistors of the peace.

By 12 *Ric. 2. c. 10.* there shall be but six justices of peace in every commission assigned with the justices of assise, they shall keep their sessions every quarter by three days if need be; they shall enquire diligently, shall have wages 4*s.* the day, and no steward of any lord shall be in such commission

By 13 *Ric. 2. c. 7.* justices of peace shall be made of the most sufficient knights, esquires, and gentlemen of the law, notwithstanding the last act.

By 14 *Ric. 2. c. 11.* there shall be eight justices of peace in every county, beside the lords of parliament; the sheriff by indenture of their estreats, shall levy and pay their wages, but not to any peer or banneret holding sessions with them.

By 17 *Ric. 2. c. 10.* two learned men of the law shall be in the commission of gaol delivery in each county.

By 2 *Hen. 5. stat. 1. c. 4.* justices of the peace of the *quorum* shall be resident within the same shire, except lords, judges, or serjeants, and shall make their sessions four times a year, in the first week after *Michaelmas, Epiphany, Easter, and St. Thomas.*

By 2 *Hen. 5. stat. 2. c. 1.* justices of peace shall be made of the most sufficient persons dwelling in the same county by advice of the chancellor and council, without taking persons dwelling in other counties, except lords, judges, and the king's chief stewards of *Lancaster.*

By 11 *Hen. 6. c. 6.* no proceedings before justices of peace shall be discontinued by a new commission.

By 14 *Hen. 6. c. 4.* the justices of peace in *Middlesex* may keep their sessions but twice in the year, or oftner in case of riots.

By 18 *Hen. 6. c. 11.* no man shall be justice of peace, unless he hath lands to the yearly value of 20*l.* on pain of 20*l.* if he acts, except in towns, boroughs, or places where there are not sufficient persons so qualified.

By 1 *Ed. 4. c. 2.* indictments in the sheriff's turn shall be delivered to the justices of peace of the same county, who shall award process, and arraign and deliver the offenders; but this does not extend to the sheriffs of *London*, or grantees of fines or franchise.

By 1 *Ric. 3. c. 3.* every justice of peace may bail for light suspi-



cion of felony; and enquire in sessions of escapes of felons, *repealed as to one justice doing so, by 3 Hen. 7. c. 3.*

By 6 *Geo. 1. c. 21.* the quarter sessions may hear appeals from the justices determinations on the acts relating to the duties on malt, hides, vellum and parchment, and direct any defects in form to be amended.

By 9 *Geo. 1. c. 7.* if a justice dwell in any city, a county of itself within the county at large, he may grant warrants at his dwelling-house, though out of his county.

By 5 *Geo. 2. c. 18.* no person shall act as a justice of peace who has not 100 *l.* a year clear of incumbrances, on pain of 100 *l.*

No attorney, solicitor or proctor, shall be capable of being a justice of peace, during such time as he shall continue in the business, on the like pain. *Ibid.*

But this is not to extend to cities which are counties, or to places having justices by charter, nor to the eldest sons of peers, or of knights of shires, nor to the board of green cloth, nor to heads of colleges, in either university. *Ibid.*

Justices in sessions may amend defects of form upon appeals, and proceed to determine them, and their judgements shall not be removed into the king's bench without recognizance of 50 *l.* to prosecute with effect, and pay costs if affirmed. *Ibid. c. 19.*

By 13 *Geo. 2. c. 18.* no certiorari shall remove the proceedings of justices, unless applied for within six calendar months, and on six days notice to such justice.

By 15 *Geo. 2. c. 24.* justices of a liberty or corporation may commit offenders to the house of correction of the county.

By 16 *Geo. 2. c. 18.* all justices of peace may enforce the laws relating to parish taxes, rates, and poor, though they are chargeable themselves.

By 18 *Geo. 2. c. 20.* no person is capable of being a justice of peace for a county who has not 100 *l. per ann.* clear of incumbrances, or is not intitled to 300 *l. per ann.* in immediate reversion, and who shall not take the oaths, on pain of 100 *l.* also 1 *Geo. 3. c. 13.*

By 24 *Geo. 2. c. 44.* no writ shall be sued against any justice for what he did in the execution of his office, until notice given him, at least one calendar month before.

Such justice of peace may tender amends and plead the same in bar. *Ibid.*

No such plaintiff shall recover a verdict against such justice, without proving such notice. *Ibid.*

Such justice may pay into court before issue joined, such sum as he shall think fit. *Ibid.*

No evidence to be given of any cause of action, but such as is contained in the notice. *Ibid.*

No action to be brought against any constable acting in obedience to a warrant under the hand or seal of any justice of peace, until demand made of the copy of the warrant, and refusal thereof. *Ibid.*

Where the judge shall certify the cause of action was wilfully committed, the plaintiff shall recover double costs. *Ibid.*

## King, Queen, & Royal Family. 355

No action shall be brought against any justice of peace for execution of his office, unless commenced within six months. *Ibid.*

By 24 Geo. 2. c. 55. where a justice of peace issues a warrant against a person out of his jurisdiction, any justice of peace where such person resides, may indorse the warrant, and thereupon the offender may be apprehended.

No action may be brought against the justice indorsing such warrant, but against the justice originally granting the same. *Ibid.*

By 26 Geo. 2. c. 14. justices of peace shall settle a table of fees to be taken by their clerks, to be placed in the room where the sessions are held, under penalty of 10*l.*

No act of two or more justices shall be vacated for defect only in not expressing that one or more of such justices are of the *quorum*. *Ibid.* c. 27.

By 27 Geo. 2. c. 16. tables of fees for clerks of justices in *Middlesex*, being approved at the quarter sessions, shall be ratified by the lords chief justices and chief baron or two of them.

By 1 Geo. 3. c. 13. justices of peace, at the demise of the king, shall take the oaths of office before the clerk of the peace, and upon a new commission, shall subscribe the roll with the oaths annexed.

Justices of peace who have taken the usual oaths under a writ of *dedimus potestatem*, are exempted from suing out another on any new commission of the peace. *Ibid.*

By 7 Geo. 3. c. 9. justices of the peace need not take the oaths more than once in each king's reign.

In cities and towns where there is only one justice of the *quorum*, two or more other qualified justices may act as of the *quorum*. *Ibid.* c. 21.

By 9 Geo. 3. c. 20. quarter sessions upon the presentment of the grand jury at the assises, may order shire halls to be repaired, and the charges assessed as other county rates, and 30*l.* or under may be laid out without presentment, but this is not to discharge any person bound to repair.

By 15 Geo. 3. c. 39. where penalties are directed by any act, justices of peace may administer oaths for levying the same.

By 18 Geo. 3. c. 19. justices of the peace may order costs to either party, on complaint out of sessions, to be levied by distress, but where the penalty is 5*l.* or upwards, costs to go out of the same.

## King, Queen, and Royal Family.

By 26 Hen. 8. c. 1. the king shall be deemed the only supreme head in earth of the church of *England*.

By 35 Hen. 8. c. 3. the stile and title of *king of England, France, and Ireland, defender of the faith, and of the church of England, and also of Ireland on earth the supreme head*, was annexed to the crown.

By 1 Mar. stat. 3. c. 1. the kingly office may be exercised by male or female.

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By 1 *Eliz. c. 1.* foreign authority was abolished, and ecclesiastical jurisdiction annexed to the crown, and maintenance of foreign authority is for the first offence forfeiture of goods and chattels or a year's imprisonment, for the second a *præmunire*, and the third high treason.

By 12 *Car. 2. c. 12.* king Charles the 2d's just title is recognised.

By 1 *Will. & Mar. stat. 1. c. 6.* every king or queen at their coronation shall swear, to govern the kingdom according to law; to cause law and justice in mercy to be executed; to maintain the protestant reformed religion and ecclesiastical privileges.

Any person being a papist, or marrying one, shall be incapable of the crown of this realm, in which case it is to go to the next protestant heir. *Ibid. stat. 2. c. 2.*

All successive kings and queens shall make and subscribe the declaration against transubstantiation when twelve years of age. *Ibid.*

By 12 *Will. 3. c. 2.* the princess *Sophia* was declared next successor to the crown, and the heirs of her body, being protestants, after the king and princess *Anne* of *Denmark* and their issue.

By 1 *Ann. stat. 1. c. 7.* no grant of crown lands shall be made unless for 31 years or three lives, the tenant to be punishable for waste, and the ancient rent reserved.

Grant of repairing or building leases may be in like manner of such tenements for fifty years, or three lives. *Ibid.*

Grants of the hereditary duties of excise, post office, &c. for a longer term than the sovereign's life shall be void; but the crown may grant estates forfeited by treason, outlawry, or extents, and make customary grants of copyholds. *Ibid.*

No grant of office shall cease on the demise of the sovereign, but continue for six months after, unless avoided by the successor, nor shall any writ, plea, or process be discontinued thereby. *Ibid. c. 8.*

No commission of assize, oyer and terminer, writs of admittance, *si non omnes*, assistance, or commission of the peace, shall be determined by the sovereign's death, but continue for six months after, unless avoided by the successor; nor shall any writs or process be discontinued thereby; and this act is to extend to *Ireland*, *Jersey*, *Guernsey*, and *America*. *Ibid.*

By 4 *Ann. c. 4.* the princess *Sophia* of *Hanover* and her issue shall be naturalized; but any person hereby naturalized becoming a papist, shall be deemed an alien.

By 6 *Ann. c. 7.* the privy council, and places of the great officers of state, shall not be dissolved by the death of the sovereign, but continue for six months, unless sooner discharged.

The great seal, and other public seals in being, shall continue to be the respective seals of the successor until order to the contrary. *Ibid.*

By 1 *Geo. 1. stat. 1. c. 1.* and *stat. 2. c. 13.* a reward of 100,000*l.* was offered to any person who should seize and secure the pretender whenever he should land.

By 7 *Geo. 2. c. 4.* the prince of *Orange* was naturalized.

By 1 *Geo. 3. c. 1.* duties of excise, &c. granted to his majesty for life, for better support of his household.

Produce



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Produce of the hereditary duties, subject to the charges, to be made part of the aggregate fund. *Ibid.*

On determination of the annuities of the princess dowager of *Wales* and the duke of *Cumberland*, the clear yearly sum of 800,000*l.* to be paid to his majesty. *Ibid.*

The king enabled to grant 5000*l.* per ann. out of the revenue of the post office, to the lord chancellor. *Ibid.* (See title *Funds.*)

By 1 *Geo.* 3. c. 5. his majesty enabled to be governor of the *South-sea* company, and to appoint the sub governor.

The 4 *Geo.* 3. c. 4. naturalized the hereditary prince of *Brunswick*.

By 2 *Geo.* 3. c. 1. the king may grant an annuity of 100,000*l.* per ann. to the queen, to commence at his demise, payable quarterly out of the hereditary and other revenues carried to the aggregate fund, and in case of deficiency, to be made good in preference to all future charges thereon.

And may by letters patent under the great seal grant his palace called *Denmark House*, alias *Somerset House*, alias *Strond House*; and also the lodge (formerly in the tenure of *John Latton*) in *Richmond Old Park*, with *Keele's Farm* in the parish of *Mortlake*, and all other lands purchased by her late majesty (queen *Caroline*) and enjoyed therewith at the present king's accession, to the queen; and that she may enjoy the same from the king's demise for her own life, and one year more. *Ibid.* repealed by 15 *Geo.* 3. c. 33.

By 5 *Geo.* 3. c. 27. the king may appoint a guardian to his successor, if the crown descends to any of his children under eighteen years of age.

By 7 *Geo.* 3. c. 19. annuities to the dukes of *York*, *Gloucester*, and *Cumberland*, 8000*l.* each, were granted.

By 12 *Geo.* 3. c. 11. no descendant of king *George* the Second (except of princesses married to foreign families) shall be capable of contracting matrimony, without the previous consent of the king under the great seal, and declared in council, otherwise the marriage shall be void.

If such person be twenty-five years old, and persist in such contract disapproved by the king, upon twelve month's notice to the council, may solemnize such marriage without such previous consent, and it shall be good, unless both houses of parliament within such year expressly declare their disapprobation. *Ibid.*

Solemnizing or assisting at such marriage without consent, subject to a *præmunire*. *Ibid.*

The king and queen may enfranchise copyholds held of the manor of *Richmond* in *Surry*; and the king may shut up the lane from *Richmond Green* to the *Thames*, if he keeps in repair *Palace Lane*, and may sell or exchange any lands holden of the manors of *Richmond* or *Wimbledon*. *Ibid.* c. 35.

By 15 *Geo.* 3. c. 53. *Buckingham House* was settled on the queen in lieu of *Somerset House*, to be called *The Queen's Royal Palace*, and the king to have 100,000*l.* for his improvements.

## 358 King, Queen, & Royal Family.

The treasury may sell *Ely House* in *Holborn*, and such part of *Somerset House* as is unnecessary, and may purchase other grounds there, and apply the surplus money towards erecting offices at *Somerset House* for the commissioners of salt, stamps, taxes, navy pay office, victualling, public lotteries, hawkers and pedlars, hackney coaches, surveyor general of crown lands, auditors of imprest, pipe office, dutchy of *Lancaster*, dutchy of *Cornwall*, ordnance, the king's barge master's house, the king's barge house, and such other offices, as the king thinks fit, and to embank the north side of the river *Thames* from the south east corner of *Kitcheners*'s wharf to *Strand Lane* stairs, and the deficiency to be paid out of grants for naval services.

By 17 Geo. 3. c. 21. from January 5, 1777, 100,000*l.* per ann. shall be added to the civil list out of the aggregate fund, payable quarterly.

By 18 Geo. 3. c. 31. an annuity of 60,000*l.* is settled on the bishop of *Osaburgh* and his five next brothers, and the survivor of them, to commence on the king's demise, payable quarterly tax free, out of the hereditary duties, made part of the aggregate fund, but none of them to have more than 15,000*l.* per ann. each.

An annuity of 30,000*l.* to the king's five eldest daughters, and the survivor of them, in the same manner, and upon the death or marriage of any one with a portion of 40,000*l.* her share to go to the others; and if a second die, or marry with a like portion, her share to go to the other three; and if a third die, or marry with a like portion, the other two to have 20,000*l.* per ann. and if either of them die or marry, the other to have 12,000*l.* per ann. which is to cease on her death or marriage. *Ibid.*

An annuity of 8000*l.* per ann. to *William Frederick*, son of the duke of *Gloucester*, to commence on his father's death, and also 4000 per ann. to *Sophia Matilda*, the said duke's daughter.

The 20 Geo. 3. c. 43. repealed so much of 15 Geo. 3. c. 33. as prescribes the method of issuing money for compleating *Somerset House*.

By 22 Geo. 3. c. 82. the following offices were suppressed. The office of secretary of state for the colonies; the board of trade and plantations; the lords of police in *Scotland*; the board of works; the principal officers of the great wardrobe, and of the jewel office; the treasurer of the chamber; the cofferer of the household; the six clerks of the board of green cloth; the paymaster of the pensions; the offices of master of the harriers and fox hounds, and of the stag hounds.

Any similar office hereafter established shall be deemed a new office. The court of virge, with all its lawful jurisdiction and powers, is preserved. His majesty's buildings and gardens shall be under the direction of a surveyor or comptroller, to be appointed by his majesty. *Ibid.*

Estimates of new buildings or repairs exceeding 1000*l.* must be laid before the lord chamberlain, and by him referred to the treasury, who are to authorise the execution thereof. *Ibid.*

The

The treasury before payment for any such works may order the same to be surveyed. Where expences shall be under 1000*l.* vouchers shall be produced to the lord chamberlain. Clerks and workmen in the royal palaces shall be paid monthly; and no new works in his majesty's parks or gardens above 500*l.* shall be undertaken without an order from his majesty. *Ibid.*

Furniture, plate, and moveables, shall be under the management of the lord chamberlain. *Ibid.*

Work formerly under the direction of the great wardrobe shall be executed by the surveyor of the buildings; and the business heretofore done by the board of trade shall be executed by a committee of the privy council. *Ibid.*

Public money under the management of the lords of trade and police in *Scotland*, shall be under the management of the convention of royal burghs. *Ibid.*

No pensions above 300*l. per ann.* to one person, nor more than 600*l. per ann.* in the whole shall be granted in one year; lists whereof are to be delivered to parliament in twenty days after the beginning of each session, till the pension list is reduced to 90,000*l.* and then it is not to exceed 5000*l.* more: nor shall any pensions be then granted to one person of more than 1200*l. per ann.* unless to the royal family, or on a parliamentary address. *Ibid.*

This is not to extend to persons who have served the crown in foreign courts, if they have no other place. *Ibid.*

All pensions on the civil list shall be paid at the exchequer; but the treasurer may, with the king's consent, take away from the private list the names and pensions of persons therein entered; and he may return into the exchequer any pension, without the name of the pensioner, on swearing that it is not for a member of the house of commons, or to corrupt elections, which pension shall be paid to his order; but when any secret pension shall continue in the list more than five years, oath of the party's life shall be made. *Ibid.*

The payment of *home* secret service money is restricted to 10,000*l. per ann.* and *foreign* secret service money is to be sent to the minister or commander abroad, who shall account for such money within a year after their arrival in *Great Britain*, and swear to the disposition thereof, the secretaries of state making payment of any such secret service money, shall be sworn as to the disposal thereof. No stated sum shall be allowed for secret service money to the secretaries of state, but the same shall be annexed to their salaries. Sums issued for any special service shall be entered in a book. Grants of royal bounty more than once in eight years shall be deemed pensions. The payments of the civil list revenues shall be divided into regular classes. No pension shall be paid out of course. Salaries in arrears for two years shall be extinguished. Fees payable shall be disposed of by the treasury. Books shall be kept for the charges of each class. Provisions shall be made for persons who held patent places abolished hereby. *Ibid.*

By 25 *Geo. 3. c. 53.* the annuity of 9000*l. per ann.* granted to the duke of *Gloucester* was charged on the aggregate fund.

By 25 *Geo. 3. c. 61.* all bounties already given by his majesty to persons in low and indigent circumstances, or which shall hereafter



be given, may continue to be paid by the lord steward, the lord chamberlain, the master of the horse, the master of the robes, and the lords of the treasury.

By 27 Geo. 3. c. 13. the 800,000*l.* by 1 Geo. 3. c. 1. and 100,000*l.* by 17 Geo. 3. c. 21. payable out of the aggregate fund, shall from May 10, 1787, be paid out of *the consolidated fund*, and all the powers in such acts contained shall continue in force.

## Labourers.

By 5 Eliz. c. 4. no person shall be hired or taken into service for less time than a year, in the mysteries or arts of a clothier, woollen weaver, tucker, fuller, clothworker, sheerman, dyer, hosier, tailor, shoemaker, tanner, pewterer, baker, brewer, glover, cutler, smith, farrier, currier, saddler, spurrier, turner, capper, hatmaker, bowyer, fletcher, arrow-head-makers, butchers, cooks, or millers.

Persons unmarried, and persons under thirty years of age, brought up in any of the said arts, may be compelled to serve. *Ibid.*

No person shall put away such servant, nor shall any servant depart from his master before the end of the time, unless for reasonable cause, to be determined by a magistrate. *Ibid.*

No such servant shall depart, or be put away at the end of his term, without one quarter's warning before given, the one to the other. *Ibid.*

Persons between the age of twelve years and sixty, not being apprentices, nor lawfully retained in any employment, nor worth 10*l.* may be compelled to serve by the year in husbandry. *Ibid.*

No such retained persons shall depart out of the parish after the time expired, without a testimonial of their liberty to serve elsewhere, nor shall they be retained without shewing such testimonial, on pain of 5*l.* on the master hiring, and imprisonment and whipping as a vagabond on the servant not having the same, or forging one. *Ibid.*

Labourers, artificers, and others, shall continue at work during the proper hours, and not depart before it be finished, upon pain of imprisonment, and 5*l.* *Ibid.*

The wages of labourers, artificers, and servants, shall be assessed by the chief magistrates every year, on pain of 10*l.* and proclamation shall be made of the rates of the wages; and any master or labourer giving or taking more wages than allowed, shall be imprisoned, and the master moreover forfeit 5*l.* *Ibid.*

Every retainer contrary to this statute shall be void. *Ibid.*

Servant assaulting his master, mistress, or overseers, shall be imprisoned a year, or less. *Ibid.*

Artificers may be compelled to work in hay time and harvest, and if they refuse, they may be imprisoned in the stocks two days and one night. *Ibid.*

Persons unemployed may go into other shires for work in harvest time, bringing a testimonial. *Ibid.*

Women

Women may be compelled to serve that be above twelve, and under forty years old, unmarried and forth of service. *Ibid.*

This act does not extend to *London or Norwich*. The justices of the peace shall assemble twice in the year for due execution of this statute, and shall be allowed 5*s.* a day out of the penalties thereof. *Ibid.*

Justices of peace may grant writs of *capias* against such servants as depart from their masters, and go into other shires. *Ibid.*

By 1 *Jac.* 1. c. 6. labourers, weavers, spinsters, and workmen's wages, may be rated by the justices, by the year, day, week, or month, or by the great, whereof proclamation is to be made by the sheriff in the county. And clothiers or others not paying the wages rated, shall forfeit to the workmen 10*s.* But no clothier, being a justice of peace, shall rate any wages in that branch of business.

By 20 *Geo.* 2. c. 19. differences between masters and servants in husbandry, artificers, handicrafts, miners, colliers, keelmen, pitmen, glassmen, potters, and other labourers, shall be determined by a justice of peace, who is to examine upon oath, and to make order for payment of wages, not exceeding the sum of 10*l.* with regard to servants, and not exceeding 5*l.* with respect to the other persons, and on non-payment to be levied by distress.

Justices to hear master's complaint on oath, and to punish the offender by commitment, abatement of wages, or dismissal; also to hear such servant's complaint on oath, and to summon the master, and, on satisfactory proof, to discharge the servant. *Ibid.*

This act not to extend to the stannaries in *Devon* and *Cornwall*. *Ibid.*

The 27 *Geo.* 2. c. 6. repealed the last clause, and extended the provisions of the act to the tanners and miners in *Devon* and *Cornwall*, without prejudice to the stannary courts.

By 31 *Geo.* 2. c. 11. the 20 *Geo.* 2. c. 19. shall extend to all servants employed in husbandry, though hired for a less time than a year.

## Leases.

By 32 *Hen.* 8. c. 28. leases by indenture, made by any of full age, seized in right of themselves, wife or church, shall be good.

But this shall not extend to lands in lease, unless the old lease be surrendered within a year after making the new, nor to lands which have not been most commonly let within twenty years before, nor to any lease made *without impeachment of waste*, or above twenty-one years, or three lives from the day of making, and that the rent most accustomedly paid be reserved to the lessor, and to him in reversion, who shall have the same remedy. *Ibid.*

In leases of the wife's lands, she must be party, and seal the indenture, and the rent must be reserved to the husband and wife, and her heirs, and he shall not alien the same. *Ibid.*

This

This act is not to empower any person to take more farms than before, nor any parson or vicar to lease their church lands, otherwise than they might have done. *Ibid.*

The husband's only act of the wife's land shall not make a discontinuance, or prejudice her or her heirs. *Ibid.*

By 1 *Eliz. c. 19.* leases by bishops, other than for twenty-one years, or three lives from the time of commencement, with the accustomed rent, shall be void.

By 13 *Eliz. c. 10.* leases by any college, dean and chapter, hospital, or other ecclesiastical person having spiritual livings, other than for three lives, or twenty-one years, with the accustomed rent, shall be void.

This shall not make good leases of any college in the universities for more years than are limited by the private statutes of such college. *Ibid.*

Nor shall it extend to new leases made on surrender of a former, or by reason of covenants therein, so that the new lease do not contain more years than the residue of the former, nor less rent. *Ibid.*

By 13 *Eliz. c. 20.* no lease of a benefice with cure, not being improper, shall endure longer than the parson is resident, without absence above eighty days in one year; but parsons allowed to have two benefices, may demise one of them to his curate, so long as he is resident without absence above forty days in a year.

By 14 *Eliz. c. 11.* all deeds and covenants for enjoyment of a benefice, made by a non-resident, shall be void.

The 13 *Eliz. c. 10.* shall not extend to leases of houses in a city or town, so that such house be not the lessor's dwelling-house, nor have above ten acres of land belonging to the same. *Ibid.*

By 18 *Eliz. c. 6.* no lease shall be made of lands by any head of a college, unless a third part of the old rent be reserved in corn, in wheat at 6 s. 8 d. the quarter, and malt at 5 s. the quarter or under, or after the rate of the best wheat and malt in the markets, at the election of the lessees, all leases, assurances, and the like, to the contrary, are void.

But this does not extend to leases of Mounckenbarn in *Suffex*, or to any heir male of the founder of *St. John* the baptist in *Oxford*. *Ibid.*

By 43 *Eliz. c. 9.* all judgments for the intent to have a lease contrary to the three last acts, shall be void, like bonds and covenants for such leases of benefices with cure.

By 29 *Geo. 2. c. 31.* guardians of infants, lunaticks, and feme coverts, in order to the surrender and renewal of leases, may apply to the court of chancery in a summary way; and by order of court may by deed surrender such leases, and renew the same, as the court shall direct, the new leases to be to the same uses as the former.

## Leets.

By 18 *Ed. 2.* The stewards of leets shall inquire, if all that owe suit of court are present, of customs and services withdrawn, pre-  
 pfeitures



prestures in lands, woods, and the like, of houses set up, or beat down, and other annoyances, bounds taken away, ways and waters turned or stopped, of thieves, hues and cries not pursued, bloodshed, escapes, persons outlawed, rapes, money coiners, treasure found, assize of bread and ale, false weights and measures, games unlawful, offences relating to the game, of victuallers and labourers, unlawful fishing, idle persons, clothiers and carriers.

By 1 Jac. 1. c. 5. no steward of a leet or court baron, shall take to his own use any of the profits of the court that belong to the lord, on forfeiture of 40 $\frac{1}{2}$  and disability.

## Letters of Marque.

By 4 Hen. 5. c. 7. subjects grieved contrary to truce, shall have letters of request under the *privy seal*, and if satisfaction be not made thereupon in convenient time, the chancellor, if demanded, shall grant the party letters of *marque* under the *great seal*.

By 10 Hen. 6. c. 3. letters of request shall be granted by the keeper of the *privy seal*, to any of the king's subjects from whom goods shall be taken by the subject of the king of Denmark.

## Letters Threatening.

By 30 Geo. 2. c. 24. persons convicted of sending threatening letters, in order to extort money or goods, may be punished by fine and imprisonment, or by pillory, whipping, or transportation.

## Liberties and Rights.

By *Magna Charta*, 9 Hen. 3. c. 29. no freeman shall be taken, imprisoned, disseised of his freehold, outlawed, exiled, or condemned, but by lawful judgment of his peers, or by the law of the land. Also in further confirmation hereof, 5 Ed. 3. c. 9. 25 Ed. 3. stat. 5. c. 4. 28 Ed. 3. c. 3. stat. hibern. 31 Ed. 3. stat. 4. c. 16. 37 Ed. 3. c. 18. 38 Ed. 3. stat. 1. c. 9. 42 Ed. 3. c. 3.

By 25 Hen. 3. c. 22. no one shall be distrained to answer touching their freehold, without the king's writ. The same by 15 Rich. 2. c. 12. 16 Rich. 2. c. 2.

By 25 Ed. 1. c. 2. judgments given contrary to the charters shall be void.

The charters shall be read in cathedral churches throughout the realm twice in the year. *Ibid.* c. 3. and 34 Ed. 1. c. 1.

Excommunication shall be denounced against breakers of the charters. *Ibid.* c. 4.

The king will take no aids, but by the common assent of the realm. *Ibid.* c. 5. and 14 Ed. 3. stat. 2. c. 1.

By 28 *Ed. 1. stat. 3. c. 1.* the sheriff shall proclaim the great charter, and the charter of the forest four times a year, and three commissioners are to be appointed by letters patent, to inquire of infringements thereof, in every shire.

By 34 *Ed. 1. stat. 4. c. 1.* no tallage or aid shall be levied without assent of parliament.

All clerks and laymen shall have their liberties, and all cities and towns shall enjoy their franchises. *Ibid. c. 4.* and 1 *Ed. 3. stat. 2. c. 9.*

By 2 *Ed. 3. c. 8.* and 11 *Rich. 2. c. 10.* no commandment under the king's seal shall delay justice.

By 5 *Ed. 3. c. 9.* none shall be attached or forejudged contrary to the great charter, or the law.

By 14 *Ed. 3. stat. 1. c. 1.* holy church, *London*, and all cities and boroughs shall enjoy their liberties and franchises.

By 14 *Ed. 3. stat. 5.* *England* shall not be subject to the king, as kings of *France*.

By 1 *Rich. 2. c. 2.* peace shall be maintained, and justice done, to all persons.

By 15 *Rich. 2. c. 12.* no man shall be compelled to answer for his freehold before the council of any lord; and by 16 *Ric. 2. c. 2.* lords doing contrary thereto are to forfeit 20 *l.* to the king.

By 3 *Car. 1. THE PETITION OF RIGHT.* Levying of money without consent of parliament, molesting the subject on that account, compelling them to receive soldiers and commissions of martial law, are declared to be contrary to the lawful liberties of the subject.

By 16 *Car. 1. c. 10.* the court of star chamber, and all its powers were abolished.

By 1 *Will. & Mar. Seff. 2. c. 2.* the ancient rights and liberties of the subject were declared, viz. that the pretended regal power of suspending of laws, or dispensing with the same is illegal. That the late commissions for erecting of a court for ecclesiastical causes, and the like, are illegal. That levying of money without grant of parliament, or keeping a standing army in time of peace, without their assent, is illegal. That the subjects have a right to petition the king, and such as are protestants to keep arms. That the election of members ought to be free, and their debates in parliament not impeached elsewhere. That there ought not be any excessive bail, fines, or punishments. That jurors ought to be impannelled and returned, and in treason such as are freeholders. That grants of fines before conviction are illegal, and that parliaments ought to be frequent.

By 12 & 13 *Will. 3. c. 2.* all laws for securing the established religion, and the rights and liberties of the people were confirmed, viz. that the possessor of the crown shall be a protestant. If the crown shall descend to one who is not a native of *England*, no war shall be carried on for dominions not belonging thereto without the consent of parliament; that no alien born though naturalized shall be in the privy council, parliament, or any civil or military office, except born of *English* parents. That no person having any office of

of profit or pension from the crown shall sit in parliament. That the judges commissions shall be made to continue, *quamdiu se bene gesserint*, and their salaries ascertained, but they may be removed upon the address of both houses of parliament. That no pardon be pleadable to an impeachment of the house of commons.

## Libraries parochial.

By 7 *Ann. c. 14.* in every parish where a library shall be erected it shall be preserved for the uses to which it is given. Incumbents before they use the library, shall give security to preserve it: if any book be taken away they may maintain trover and recover treble damages to the use of the library.

The ordinary may inspect and amend the library, the incumbent within six months after admission shall make and sign a catalogue of the books, to be delivered to the ordinary, and registered. *Ibid.*

Upon the death or removal of any incumbent the churchwardens shall lock up the library, till a new minister is appointed. *Ibid.*

The vestry or other meeting may be held in such libraries if usual, the incumbent shall keep an account of the benefactions and books, and the ordinary and donors may make orders concerning the libraries. *Ibid.*

Books shall not be alienable without consent of the ordinary. If any book be lost, a justice of peace may grant a warrant to search for it; and if found it shall be restored to the library; but this act does not extend to the library in the parish of *Ryegate*. *Ibid.*

## Life Estates.

By 19 *Car. 2. c. 6.* persons for whose life an estate is granted, being beyond sea, or absenting for seven years, and no proof made of being alive, shall be accounted as naturally dead, and the reversioner recover; and he may on the trial except against the jurors for that their estates are only leasehold, or on lives.

But if such person shall afterwards return or be proved to be living, the person evicted shall recover the lands and the full profits.

By 29 *Car. 2. c. 3.* estates for the life of another shall be devisable, and shall be assets in the heir's hands, and where there is no special occupant, shall go to the executor.

By 6 *Ann. c. 18.* persons claiming an estate in remainder after the death of an infant, on affidavit that there is cause to believe such person to be dead, the lord chancellor may order such person to be produced, and on being concealed, or not proved to be living he shall be taken as dead, and the claimant may enter; and if the infant is beyond sea, the chancellor may commission persons to go to view him.



If it afterwards appears that such person was alive when the order was made, he may re-enter and recover the full profits. *Ibid.*

Persons holding an estate after the determination of the life of the person on which it depends, are trespassers, and the full value of the profits may be recovered in damages. *Ibid.*

By 14 Geo. 2. c. 20. estates for the life of another where there is no special occupant, and no devise made thereof, shall be distributed, or so much as was not devised, in the same manner as personal estates.

## Limitations.

By 3 Ed. 1. c. 39. in conveying a descent in a writ of right, none shall declare of the seisin of his ancestor beyond the time of king Richard.

By 32 Hen. 8. c. 2. no writ of right, prescription, title or claim to manors, lands, hereditaments or premises shall be but on seisin of the ancestor, within sixty years.

There shall be no assize of mort d'ancestor, entre sur dissein, or other action possessory of the ancestor, but on seisin within fifty years before the teste of the writ. *Ibid.*

No action upon his own possession above thirty years before the teste. *Ibid.*

No avowry or conuzance for rent, suit, or the like, of his own, or seisin of his ancestor, above fifty years before. *Ibid.*

Formedon and *scire facias* on fines shall be sued, within fifty years after title or cause of action fallen. *Ibid.*

Persons suing, or an avowant on traverse, not proving seisin within the time limited, shall be barred for ever. *Ibid.*

By 1 Mar. Seff. 2. c. 5. the limitations in the last act shall not extend to any writ of right of advowson, *quare impedit*, or assize of darrein presentment, nor *jure patronatus*.

By 21 Jac. 1. c. 2. concealed lands shall not be recovered by the king, unless the profits have been taken by him, within sixty years before this parliament, or have stood *insuper* of record. But this is not to impeach the king's title to any reversion or remainder within that time, nor to annul the duty of 2 d. *per chalder* for sea-coal at Newcastle.

All writs of formedon shall be sued, and entry into land shall be made within twenty years after the title and cause of action accrued. *Ibid.* c. 16.

Infants, femmes covert, persons beyond sea, *non compos*, or in prison, shall bring action or enter within ten years after disability removed. *Ibid.*

Actions of account, other than between merchant and merchant, trespass, debt, detinue, trover, and the like, shall be brought within six years after cause of action accrued; actions of assault within four years, and of slander within two years. *Ibid.*

On reversal of judgment, or outlawry for error the plaintiff may commence a new action, within a year. *Ibid.*

Where the trespass on lands is involuntary, the defendant may plead a disclaimer of any title thereto, and a tender of amends, before action brought. *Ibid.*

Persons disabled by infancy or otherwise when cause of action accrued, may bring the same action, within the same time after disability removed. *Ibid.*

By 10 & 11 Will. 3. c. 14. no fine, recovery, or judgment shall be reversed, unless writ of error be brought, within twenty years after obtained; but persons disabled by infancy or otherwise, shall bring such writ of error within five years after the disability is removed.

By 4 Ann. c. 16. no claim or entry shall be of force to avoid a fine with proclamations, unless an action be commenced within a year after such entry.

Suits for seamen's wages in the admiralty shall be commenced within six years after the cause of action accrued. *Ibid.*

Such cause of action falling to one disabled by infancy or otherwise, may be pursued within six years after the disability removed. *Ibid.*

Actions against persons gone beyond the seas, may be brought within the times limited, after their return. *Ibid.*

By 9 Geo. 3. c. 16. the crown is disabled to sue for lands (except liberties or franchises) where the right hath not first accrued within sixty years before the suit, and the subject is secured in the free enjoyment against the crown, and all others claiming by grant, or on suggestion of concealment, if no judgment within sixty years before the suit.

Rents in charge by or to the auditor, shall be deemed duly so; but not to extend to reversions or remainders in the crown, nor to grants by the crown of limited estates to be held on usual tenures. *Ibid.*

Fee-farm or other rents, paid to the crown in sixty years, secured, and right under grants made before January 1, 1769, not prejudiced, if prosecuted in one year, or right of the crown to land, held of the manor of East Greenwich, or the district of the Savoy, if prosecuted in two years. *Ibid.*

No putting in charge, nor standing insuper, nor taking or answering rents of lands, by grants of concealments, or inquisition thereon to be good, unless verdict or judgment for the crown in sixty years before information filed for the recovery thereof. *Ibid.*

The 11 Geo. 3. c. 4. enlarged the above time to two years from January 1, 1771.

By 27 Geo. 3. c. 44. suits in ecclesiastical courts for defamatory words shall be commenced within six months.

And for fornication, or incontinence, or for striking or brawling in any church or church-yard, within eight months; and there shall be no prosecution for fornication, after the parties have intermarried. *Ibid.*

## London.

By *Mag. Chart.* 9 *Hen.* 3. c. 9. the liberties of the city of *London* are confirmed likewise by 14 *Ed.* 3. *stat.* 1. c. 1.

By 13 *Ed.* 1. *stat.* 5. it is commanded that no person be found walking the streets of *London*, with sword or buckler, after curfew, unless great lords or persons known, with lights. No tavern shall be open after curfew. No school of fencing and buckler shall be kept in *London*; on forty days imprisonment. Evil doers imprisoned, shall not be delivered by the sheriff, but by award of the mayor and aldermen. No stranger shall keep inns in the city. Ministers in the city shall not be punished for imprisoning offenders, unless done for malice, and not for keeping the peace.

By 10 *Ed.* 2. *stat.* 1. lords of rents in *London* may recover them in the hustings by a writ of gavellet, and on default the lands in demesne.

By 28 *Ed.* 3. c. 10. misprision of the mayor, sheriffs and aldermen of *London*, in not redressing errors, shall be tried by inquest of neighbour counties, and they shall be fined 1000 marks for the first offence, 2000 for the second, and for the third forfeit the franchise.

But by 1 *Hen.* 4. c. 15. the penalties inflicted by the last act shall hereafter be according to the discretion of the justices.

By 1 *Hen.* 4. c. 16. merchants of *London* shall be as free to pack their cloths as other merchants.

By 3 *Hen.* 7. c. 9. citizens and freemen of *London* may carry their wares to any fair or market, and any bye-law to the contrary shall be void.

By 35 *Hen.* 8. c. 10. the mayor and commonalty of *London* may enter lands to lay and amend water-pipes, making recompence to the owner; not to withdraw any water that is brought to any person's house: shall pay to the bishop of *Westminster* a pound of pepper yearly as an acknowledgement for fetching water from *Hampstead* heath; but they are not to meddle with the inclosed spring at the foot of the heath.

By 3 *Jac.* 1. c. 18. and 4 *Jac.* 1. c. 12. the lord mayor and commonalty of *London* were empowered to lay out ground for making a trench, for the new river, making recompence to the owners of ground. *Also* 12 *Geo.* 2. c. 32.

By 7 *Jac.* 1. c. 9. the corporation of *Chelsea* college were enabled to cut a drain out of the river *Lee* at *Hackney* to convey water to *London* in pipes.

By 2 *Will.* & *Mar.* *stat.* 1. c. 8. the judgment in *quo warranto* was reversed, and the corporation of *London* restored to all its rights and privileges.

By 8 *Geo.* 1. c. c. 26. the commissioners of *Chelsea* water-works were incorporated, saving the rights of the new river company.

By 6 *Geo.* 2. c. 22. the lord mayor and citizens of *London* were empowered to fill up part of *Fleet* ditch, and the inheritance of the ground was vested in them.



By 29 *Geo. 2. c. 40.* the mayor and common council were im-  
powered to purchase and remove buildings, to improve, widen  
and enlarge the passage over and through *London* bridge.

*Aldermen.*

By 17 *Ric. 2. c. 11.* the aldermen shall not be elected yearly,  
but remain until put out for just cause.

*Attaint.*

By 11 *Hen. 7. c. 21.* attaint may be sued by bill in the hustings  
of *London*, upon any false verdict given in any of the courts of  
that city. If the petty jury be attainted, judgment shall be given  
against the defendant as at common law, and against the jury to  
forfeit each of them 20*l.* If a debt be recovered in the first action,  
and that verdict is found false, the plaintiff shall have restitution:  
but if the verdict be affirmed, the plaintiff shall be imprisoned and  
fined.

By 37 *Hen. 8. c. 5.* persons worth four hundred marks in goods  
may be impannelled in attaints in *London*, and attaints in *London*  
shall be tried there only.

*Ballast.*

The 6 *Geo. 2. c. 29.* and 32 *Geo. 2. c. 16.* regulate the load-  
ing and unshipping of ballast in the *Thames*, but as such acts af-  
fect all ships resorting there, the same are abridged under the ge-  
neral title *ships*.

*Bargain and Sale.*

By 33 *Geo. 2. c. 30.* bargains and sales of lands in *London*, in-  
rolled in the hustings of the city, by virtue of the act for widening  
the streets, shall have the operation of a fine or recovery.

*Blackwell Hall.*

By 4 & 5 *Phil. & Mar. c. 5.* cloth sealed shall not be searched  
in *Blackwell Hall* market during the time of such market.

By 39 *Eliz. c. 20.* Northern cloths brought to *London* for sale  
shall be brought to *Blackwell Hall* to be searched dry, and out of  
market time: upon pain of 40*s.* for not carrying them there, and  
5*l.* for searching them during the market.

By 8 & 9 *Will. 3. c. 9.* the public market of *Blackwell Hall* shall  
be held every *Thursday, Friday, and Saturday.* Factors selling cloth  
out of the market to forfeit 5*l.* Hall-keepers, clerks, and master  
porters, not keeping weekly registers of cloths bought and sold, to  
forfeit likewise 10*l.* Factors selling cloth on trust, and not trans-  
mitting to the owners the buyers note for the money, in twelve days,  
liable to forfeit double the value. Buyers neglecting to give such

A a

note,

note, on request, within eight days, to forfeit 20 s. for every cloth fold; and if the cloth is not returned within eight days, the same to be deemed as approved by the buyer. All contracts allowing longer time void.

By 1 *Geo. 1. stat. 2. c. 15.* a table thirty yards in length, with an inch to each, shall be provided in *Blackwell Hall*, for measuring *Medley* broad cloth.

The buyer shall give notice to the seller, when the cloth is to be wetted, and if he does not attend, the buyer may proceed to prove the cloth, and the keeper of *Blackwell Hall* shall measure the same, and his certificate thereof shall be the rule of payment to the buyer, and a conviction of the party offending. *Ibid.*

None but the owner of the cloth unsatisfied, shall sue the factor for not demanding notes pursuant to 8 & 9 *W. 3.* and the prosecutions must be in twelve months after the offence.

### *Bowyers.*

By 8 *Eliz. c. 10.* every bowyer in *London* shall keep fifty bows of elm, witch hazel, or ash, on pain of 10 s. a bow.

### *Bridges.*

By 26 *Geo. 3. c. 37.* the following toll was laid upon all horses and carriages passing on a *Sunday* over *Blackfriar's* bridge, to be applied for watching, lighting, cleansing, watering, and repairing the said bridge, viz.

For every carriage with six or more horses	10 d.
with four       —       —	8
with three or two       —	6
with one       —       —	3
And for a single horse, not drawing,	1

### *Brokers.*

By 13 *Ed. 1. stat. 5.* no brokers shall be in *London* but those who are admitted and sworn by the mayor and aldermen.

By 1 *Jac. 1. c. 21.* no pawn or sale to a broker in *London*, shall alter the property of goods wrongfully taken; and broker on demand shall manifest what goods are come to his hands, on forfeiture of double the value.

By 6 *Ann. c. 16.* brokers in *London* are to pay 40 s. to the chamberlain of *London* on their admittance, and also 40 s. yearly, on pain of 25 l. to the corporation for acting without.

### *Buildings.*

By 11 *Geo. 3. c. 26.* the corporation may grant licences to the owners of leases, whereof thirty-five years or upwards are to come, of houses adjoining to the late *Bridewell* dock, to build, but not to others.

By

By 14 Geo. 3. c. 78. all buildings whatsoever, heretofore built, or to be built hereafter, within *London and Westminster*, and bills of mortality, the parishes of *St. Mary-le-bone, Paddington, Pancr s,* and *Che/sea*, shall be divided into the *seven-rates* following, *that is to say*, churches, chapels, meeting-houses, or places of public worship; still-houses, brew-houses, soap-houses, houses for melting tallow, dying, sugar-houses, turpentine-houses, founderies of brass or iron, chymical glass-houses of all dimensions, warehouses and other buildings, not dwelling-houses (except of the 5th, 6th, or 7th rate) not exceeding three stories above ground, exclusive of rooms in the roof, of the height of 31 feet above ground, to the top of the blocking course; and dwelling-houses above the value of 850*l.* and above nine squares of building of 100 superficial feet each, on the ground floor, shall be the *first* rate.

External walls, of the first rate, shall be, at the foundation,  $2\frac{1}{2}$  bricks, or one foot  $9\frac{1}{2}$  inches thick, and decrease on each side  $2\frac{1}{2}$  inches to the top of the footing of the wall, which is to be 9 inches high, and 2 bricks or  $17\frac{1}{2}$  inches thick, to the under side of the one pair of stairs floor; from thence  $1\frac{1}{2}$  brick, or 13 inches, to the under side of the plate under the roof; from thence one brick, or  $8\frac{1}{2}$  inches thick, to the under side of the blocking course, except walls of stone of 14 inches thick below the ground floor, and 9 inches above; and except recesses arched, and at the back one brick or  $8\frac{1}{2}$  inches thick. *Ibid.*

Party walls of the first rate shall be  $3\frac{1}{2}$  bricks, or 2 feet  $6\frac{1}{2}$  inches thick, at the foundation, and decreasing on each side  $4\frac{1}{2}$  inches to the top of the footing one foot high, and below the pavement of the cellar story 2 inches; the wall shall be from the top of the footing  $2\frac{1}{2}$  bricks, or 1 foot  $9\frac{1}{2}$  inches thick, to the under side of the ground floor; and thence 2 bricks or  $17\frac{1}{2}$  inches thick to the under side of the floor of the rooms in the roof of the highest adjoining building, and thence  $1\frac{1}{2}$  brick or 13 inches to the top. *Ibid.*

2. Warehouses, stables, and other buildings, not a dwelling-house, (except of the 1st, 5th, 6th, and 7th rates) exceeding two stories, and not more than three stories above ground, exclusive of rooms in the roof, or of the height of 22 feet, and not so high as 31 feet from the ground to the top of the coping; and dwelling-houses above 300*l.* value, and not more than 850*l.* and exceeding 5 squares, and not more than 9 squares of building, shall be the *second* rate of building. *Ibid.*

External walls of the second rate shall be at the foundation, two bricks or  $17\frac{1}{2}$  inches thick, and decreasing on each side  $2\frac{1}{2}$  inches to the top of the footing, which is to be 9 inches high, and below the cellar floor 2 inches; and from the top of the footing  $1\frac{1}{2}$  brick or 13 inches thick, to the under side of the one pair of stairs floor; from thence 1 brick or  $8\frac{1}{2}$  inches thick, to the under side of the coping, except walls of stone above ground 9 inches thick, and recesses arched, and at the back 1 brick or  $8\frac{1}{2}$  inches thick. *Ibid.*

Party walls of the second rate shall be at the foundation  $3\frac{1}{2}$  bricks or 2 feet  $6\frac{1}{2}$  inches thick, and from thence decreasing on each side



$4\frac{1}{2}$  inches to the top of the footing, 9 inches high, and under the cellar floor 2 inches; and from thence  $2\frac{1}{2}$  bricks or 1 foot  $9\frac{1}{2}$  inches thick to the under side of the ground floor; and thence 2 bricks or  $17\frac{1}{2}$  inches thick to the under side of the two pair of stairs floor; and thence  $1\frac{1}{2}$  brick or 13 inches thick to the top of the party wall. *Ibid.*

3. Warehouses, stables, and other buildings, not dwelling-houses (except of the 1st, 5th, 6th, and 7th, rates) exceeding one story and not more than two above ground, besides rooms in the roof, or 13 feet, and not more than 22 feet high from the ground to the coping, and dwelling-houses of the value of 150*l.* and not more than 300*l.* and exceeding 3 squares and an half and not more than 5 squares shall be the *third* rate of building. *Ibid.*

External walls of the third rate shall be at the foundation 2 bricks or  $17\frac{1}{2}$  inches thick, and thence regularly decreasing on both sides  $2\frac{1}{4}$  inches to the top of the footing, 6 inches high, 2 below the floor of the cellar story, and from the top of the footing  $1\frac{1}{2}$  brick or 13 inches thick, to the under side of the ground floor; and thence 1 brick or  $8\frac{1}{2}$  inches to the under side of the coping. *Ibid.*

Party walls of the third rate shall be at the foundation 3 bricks or 26 inches thick, and from thence regularly decreasing on each side  $4\frac{1}{2}$  inches to the top of the footing, 9 inches high, and 2 inches below the floor of the cellar story, and from the top of the footing 2 bricks or  $17\frac{1}{2}$  inches thick to the under side of the ground floor, and from thence  $1\frac{1}{2}$  brick or 13 inches thick to the top of the wall. *Ibid.*

4. Warehouses, stables, and other buildings, not dwelling-houses (except of the 1st, 5th, 6th, and 7th, rates) not exceeding one story above ground, exclusive of rooms in the roof, and not more than 13 feet high from the ground to the top of the coping; and dwelling-houses not more than 150*l.* value, and not exceeding  $3\frac{1}{2}$  squares of building, shall be the *fourth* rate of building. *Ibid.*

External walls of the fourth rate shall be at the foundation 2 bricks or  $17\frac{1}{2}$  inches thick; and thence decreasing on each side  $2\frac{1}{4}$  inches, to the top of the footing 6 inches, and 2 inches below the floor of the cellar story; and from thence  $1\frac{1}{2}$  brick or 13 inches thick to the under side of the ground floor; and from thence 1 brick or  $8\frac{1}{2}$  inches thick to the under side of the coping. *Ibid.*

Party walls of the fourth rate shall be 2 bricks or  $17\frac{1}{2}$  inches thick at the foundation; from thence gradually decreasing on each side  $2\frac{1}{4}$  inches to the top of the footing, 9 inches high, and two inches below the cellar floor; and from the top of the footing  $1\frac{1}{2}$  brick or 13 inches thick to the underside of the ground floor; and from thence 1 brick or  $8\frac{1}{2}$  inches thick to the top of the wall. *Ibid.*

All houses of the 1st, 2d, 3d, or 4th, rate, contiguous to other buildings, shall have party walls between them, to extend to the outward surfaces of each, and those and all chimnies and chimney shafts shall be of brick or stone, or both together (except timber, wood, lead, or iron, laid in as after directed, and except piling, bridging or planking, necessary for foundation) and such party walls shall be topped with stone, tile, or brick, and of the dimensions before

fore directed, and one half on the ground of each house; for which purpose workmen may enter the ground of the other house; and all party walls above four stories high, shall be built as of the 1st rate; and those of the fourth rate houses, four stories high, as if of the 3d rate. *Ibid.*

Internal inclosures for separating buildings of the 1st, 2d, 3d, and 4th, rate, shall be of brick or stone, or artificial stone or stucco, or all together (except timber, wood, lead, or ironwork, laid in as after directed, and except necessary piling, bridging or planking for foundation; and in ascertaining the rates, to estimate the value as if of good materials, and to take the squares of the level of the entrance, and an appeal allowed to the quarter sessions. *Ibid.*

5. Dwelling-houses, warehouses, stables, and other buildings (except buildings not being dwelling-houses, and of the 1st rate) at the distance of 4 feet, and not 8 feet from any public road, street, or causeway, and detached from any other building, not in the same possession, 16 feet at least, and not 30 feet, or connected only by a fence wall, shall be of the *fifth* rate, and may be built of any dimensions. *Ibid.*

6. Dwelling houses, warehouses, stables, and other buildings (except such buildings not being dwelling-houses, and of the 1st rate) which are 8 feet from any public road, street, or causeway, and detached from any other building, not in the same possession, 30 feet, or connected only by a fence wall, shall be of the *sixth* rate, and may be built of any dimensions or of any materials. *Ibid.*

7. Crane-houses on wharfs or quays, shambles, wind or water mills, and all buildings out of *London* and *Westminster*, and liberties, and used for workshops, or drying places for tanners, fell mongers, glue-makers, size-makers, callico printers, whitsters, whiting-makers, curriers, leather-dressers, buckram stiffeners, oil cloth painters, wool staplers, throwsters, parchment and paper-makers, so long as used for those purposes, shall be of the *seventh* rate, and may be built of any dimensions; external inclosures of crane-houses, shall be of stone, brick, slate, tyle, oak, elm, steel, iron, or brass; but other buildings of the said rate may be of any materials, so that they be not covered with pitch, tar, or other inflammable composition, and not used for other purposes. *Ibid.*

Detached offices, or if only connected by fence walls, to be deemed of the rate such office would be of, if the same did not appertain to any other building, and old sound party walls to remain; if the adjoining building is rebuilt, without making use of such wall, the owner of the other part shall have only one half of such old wall and ground when pulled down: if party walls are not of the thickness aforesaid, to be condemned as ruinous; and also if it shall have any timber through it, to be cut off so as not to leave six inches of brick work. *Ibid.*

Timber partitions to remain till one of the adjoining houses be taken down, or condemned as ruinous, and no longer; and external walls not to become party walls, unless of the height and thickness and of such materials as before directed. *Ibid.*

Party walls to be 18 inches above the buildings adjoining, and no recesses therein (except for chimnies, flues, girders, and beams, and ends or piers, as after) so as to reduce such wall under the thickness required; nor openings (except for communication between different stacks of warehouses or between stables, and to have iron doors; and except necessary passages on the ground floors, which shall be arched over with brick or stone, 13 inches thick in every building of the 1st and 2d rate; and  $8\frac{1}{2}$  inches thick in every building of the 3d and 4th rate, and if there is a cellar under, to be all arched in the same manner.) *Ibid.*

No timber to be in party walls (except bonds, templets, and chains, and the ends of girders, beams, and the like) and to have  $8\frac{1}{2}$  inches of solid brick work between the ends and sides of every piece of timber, except opposite to other timbers, and then no part of such timbers to approach nearer than 4 inches to the centre of the said wall. Party walls not to be cut, except 9 inches from the front or back wall, to the centre of such party wall, for the purpose of inserting the end of such new front or back wall; and if a breast summer and story posts 14 inches, and the same may be 4 inches wide in the cellar story, and 2 inches wide in the ground story; or may cut the wall for railing of stone stairs or landings, or timbers for wood stairs, not nearer than  $8\frac{1}{2}$  inches to a chimney, or 4 inches to the timbers of the next house; and may cut recesses for inserting the walls, not more than 15 inches wide, nor 4 inches deep, and not nearer than 10 feet to any other recess, and to make good all damages. *Ibid.*

Chimnies shall be 13 inches thick in the cellar story, and  $8\frac{1}{2}$  inches in every other story, and if against another chimney in party wall of the 1st rate,  $8\frac{1}{2}$  inches, and of the 2d, 3d, and 4th rate,  $6\frac{1}{2}$  inches, and no flue opposite another in party walls (except 2 inches from the centre) and the breast to be  $8\frac{1}{2}$  inches thick in the cellar story, and 4 in the other stories; and all withs to be brick or stone, and  $\frac{1}{2}$  brick thick; and breasts, backs, and withs, to be pargetted within and without (except next to vacant ground) and then marked (except fronts), but chimnies may be placed in party walls, if desired by the owner of the adjoining house, on notice, which shall be deemed making use of such party wall, and the builder to pay a proportionable part of the expence thereof, with costs. *Ibid.*

When buildings are mixed property, the party wall shall be of the highest rate of building adjoining, with party arches of  $1\frac{1}{2}$  brick or 13 inches thick in the 1st and 2d rates; and 1 brick or  $8\frac{1}{2}$  inches thick in the 3d and 4th rates, between them; but not to extend to inns of court or chancery (except party walls of stair cases). *Ibid.*

Where owners are under any disability to contract or agree, a jury shall determine the expence of rebuilding, and sessions may give judgement thereon, which is to be final, and in 14 days workmen may enter, and if interrupted the penalty is 10*l.* and builders are to be paid expences according to the verdict. *Ibid.*

Old decayed party walls or arches may be pulled down, on three months notice, as specified in this act, and surveyors to be appointed to view them; if the major part condemn them as ruinous, they are



are to certify the same, and the owner may appeal to sessions, whose judgment is to be final; if of the 1st, 2d, or 3d rates, to give three months notice of pulling down, or the same, if wooden partitions; and the expence to be paid by the owner of improved rent, and till payment the property of the wall vested in the builder; new walls to pay a moiety of building, and old also, for pulling down, removing furniture, and shoring, but not for clearing away rubbish, and the expence to be estimated at 7*l.* 15*s.* per rod, deducting 1*l.* 8*s.* per rod for the materials (if any) of the old wall, and 2*d.* per cube foot for materials (if any) of old timber partition; and in 10 days after built, an account to be delivered of the expences, and if not paid in 21 days, may be recovered by action; if the plaintiff gives three months notice of such action, and recovers, he shall have double costs. *Ibid.*

Party walls to be of the thickness required for the highest rate of building adjoining, and may be raised above the other building, but if used by the other side, to be paid for; party fence walls may be likewise raised, but not to be used as party walls, unless of sufficient thickness, though either side may take it down and build a party wall; and if the other side use it, to contribute, and the first builder not to lose his right to the soil, if the party wall is not half on each ground. *Ibid.*

If the fore and back front be rebuilt as low as the one pair of stairs floor, in five years from each other, the party walls to be subject to the regulations of this act: and chimnies, not in party walls of the 1st rate, to be 13 inches in the cellar story, to 12 inches above the mantle, and if of other rates, 8½ inches (except built against a wall, and then it may be half a brick thinner) and the backs of chimnies of the 2d, 3d, or 4th rates, and not in party walls, to be 8½ inches thick from the hearth to the mantle (except against a wall, and then half a brick thinner) and no timber over the opening of any chimney, to support it, but brick, stone, or iron, and no timber under the hearth nearer than 18 inches, and to have slabs of tyle, stone, marble, or iron, 18 inches broad; and no wood in the brick work of any oven, stove, copper, still, boiler, or furnace, within two feet of the inside, nor of any chimney nearer than 9 inches to the opening, or 5 inches to the flue; nor wood to the front of chimnies, except fastened by iron nails, not more than 3 inches in the wall, or nearer than 4 inches of the inside; and no chimney to be erected on timber work, except below the foundation, and on brick or stone corbels, or iron shores. *Ibid.*

External walls, to be of brick, stone, artificial stone, lead, copper, tin, slate, tyle, or iron, or mixed, except necessary piling for foundation and templets, chains, and bond timbers, and except doors, windows, and the frames thereof set in recesses, four inches from the front, and except breast summers, and stallboards for shops in the ground story only; story posts to be 2 inches in party walls, and of oak or stone, and 12 inches square; and flats, gutters, and roofs, of the first five rates, and all turrets are to be covered with glass,

copper, lead, tin, slate, tyle, or artificial stone, except doors and windows. *Ibid.*

External decorations to be of brick, stone, burnt clay, or artificial stone, and also covered ways the same; and no water to drip into the streets, except from porticoes and entrances, but to be conveyed by pipes or trunks to the ground; no bow windows to project beyond the line of buildings (except decorations, shop windows, and stall-boards) in streets thirty feet wide, not more than ten inches; in lesser streets five inches; and no cornice more than eighteen inches in streets of thirty feet; and thirteen inches in lesser streets; and materials of bow windows and projections to be the same as external walls; but this is not to affect the commissioners of paving, or of sewers in *London*. *Ibid.*

Old external walls may be repaired with the same materials as before, but, if rebuilt, to conform to this act; and no bow window or projection to be rebuilt, unless originally built with the house, and in a line with the street; no stack of warehouses to be above thirty-five squares, or any communication through party walls, unless by stone door cases, and iron doors, and no timber within eighteen inches; no stables more than twenty-five squares, and the like doors. *Ibid.*

Buildings of the first four rates (except inns of court and chancery, royal exchange, companies halls, warehouses and dwellinghouses, under 25 *l.* per ann. rent) converted into two distinct tenures, to be deemed separate buildings, and to have party walls; but warehouses under thirty-five squares, and stables under twenty-five squares, may be divided. *Ibid.*

Buildings of the fifth and sixth rates, in distinct tenures, and not at requisite distances, deemed nuisances; and no funnel for smoke to be next the street in front of the first four rates, and not nearer than fourteen inches of timber, nor any brick funnel to extend beyond the line of the street; every building contrary to this act, is declared a common nuisance, and the builder may be bound to demolish the same in convenient time, if convicted in three months after being built; the lord mayor and justices may respectively order irregular buildings to be taken down, and materials sold to defray the expence. *Ibid.*

The lord mayor and aldermen, and justices in sessions, may respectively appoint surveyors, who are to be sworn, and leave notice of their place of abode with the clerk of the peace, and to whom notice is to be given twenty-four hours before the beginning of any building, who is to survey the same, and to be paid by the builder.

				<i>l.</i>	<i>s.</i>	<i>d.</i>
For first rate new building	—	—	—	3	10	0
Alteration	—	—	—	1	15	0
Second rate new building	—	—	—	3	3	0
Alteration	—	—	—	1	10	0
Third rate new building	—	—	—	2	10	0
Alteration	—	—	—	1	5	0
				Fourth		

			l.	s.	d.
Fourth rate new building	—	—	2	2	0
Alteration	—	—	1	1	0
Fifth rate new building	—	—	1	10	0
Alteration	—	—	0	15	0
Sixth rate new building	—	—	1	1	0
Alteration	—	—	0	10	6
Seventh rate new building	—	—	0	10	6
Alteration	—	—	0	5	0

which may be levied by distress on the master workman, with costs; and on default of notice, treble satisfaction to the surveyor, and 20*l.* penalty. *Ibid.*

Surveyor is to give information of irregular buildings, and the lord mayor and justices are to order the same to be demolished or amended, and 50*s.* penalty on the workman, or to be committed, not more than three months, nor under one. Houses and buildings are to be surveyed in fourteen days after finished, and the surveyor in fourteen days more to make oath, which is to be filed, that such house or building is duly built; and the builder neglecting to have the same done, forfeits 10*l.* and if not done in a month after conviction, he is to forfeit 10*l.* more, and so *toties quoties* every month; but the surveyor misbehaving, shall be discharged, and incapable of acting again. *Ibid.*

Not to extend to the king's palaces. *Ibid.*

When buildings are presented as ruinous, a hoard is to be put up; if owners, on notice, neglect to take down the same, the court of lord mayor and aldermen, or churchwardens and overseers of the poor (out of the city) may order the same to be taken down, and the materials to be sold to pay the expence, and the surplus to be paid to the owner, if demanded in six years, and, if deficient, the owner or occupier is to make it good, and the landlord is to allow the tenant what is so paid. *Ibid.*

Fire engines and ladders, shall be kept in known places, and the parish officers shall place on mains of water works, stop blocks, and fire cocks, and shall mark the house near, and keep keys there; the fire cocks to be kept in repair by the parish, and the plugs by the owners of the water works, and if changed the same; and engines and ladders shall be kept in every parish, on penalty of 10*l.* on the officers, to be levied by distress. In case of fire, the turncock, whose water comes first, shall have 10*s.* paid by the parish officers. First engine 1*l.* 10*s.* second engine 1*l.* and third engine 10*s.* to be paid by the same; but no reward without the approbation of an alderman, or two common councilmen in *London*, and a justice out. Where officers pay rewards for fires in chimnies only, or first beginning there, they are to be reimbursed by the occupier, as the mayor or justice shall direct, who may examine the parties or others on oath: and if not paid in fourteen days, may be levied by distress. United parishes shall be deemed one; and parishes may have more than one engine, under the like regulations. Rewards to be paid out of the poors rate. *Ibid.*

Watermen



Watermen belonging to insurance offices shall not be impressed; and directors of insurance offices may, on the request of any person interested in houses burnt, or on suspicion of fraud in the insurer, cause the money insured to be laid out in rebuilding, unless the party, in sixty days, give security to lay out the same, or that the money be disposed of with the approbation of the directors. *Ibid.*

Servants carelessly firing houses, shall forfeit 100*l.* or be imprisoned eighteen months. *Ibid.*

Constables and beadles, on notice, shall repair to fires, and may seize misdoers. *No action shall be brought against a person where the fire accidentally begins. (This clause, and the sentence in Italicks, extend to every part of England.)* And distress for penalties is not unlawful for want of form; but the party aggrieved may recover special damages; and the plaintiff shall not recover, if amends are tendered before action, or money is paid into court before issue joined. *Ibid.*

Irregular buildings erected since 12 Geo. 3. shall be made secure and altered, though no prosecution, by order of the lord mayor and aldermen, or quarter sessions, filed, and the same shall be reformed in nine months, on penalty of 50*l.* and the like every nine months, till done. *Ibid.*

Prosecutions are not to be removed by certiorari, but appealies to the quarter sessions, who may give costs, and the appellant shall give security for the same. *Ibid.*

Parishioners may be witnesses. Penalties may be sued for in six months, and actions against persons acting under the act in three months, and they may plead the general issue, and have treble costs. *Ibid.*

By 25 Geo. 3. c. 77. no person, either in London, or in any other part of England, shall distil or boil any turpentine or tar, or draw any oil of turpentine or rosin, by distilling turpentine, or drawing any oil of tar or pitch, by distilling or boiling tar, or boil any oil and turpentine, or oil and tar together, above ten gallons at one time, in any place which is not seventy-five feet distant from any other building, on penalty of 100*l.* and treble costs.

But this is not to prevent shipwrights, bargebuilders, and such persons, from boiling or mixing oil, and other things, to pay ships, barges, and the like. *Ibid.*

The 27 Geo. 3. c. 48. reciting, that the East India company are possessed of, and building warehouses exceeding thirty-five squares, and that it is expedient that the said company should be allowed to continue their present warehouses, and build others, freed from the regulations in 14 Geo. 3. c. 78. enacts, that the warehouses of the said company shall be freed from the regulations of the said act.

### Butchers.

By 4 Hen. 7. c. 3. butchers shall not kill beasts within the walls of London, or in any walled town, or in Cambridge.

Carriage.

Carriage.

By 30 Geo. 2. c. 22. justices of the city may, annually assess the rates of carriage of goods, and make rules for regulating carts and drivers, and for payment of their fare, and may annex reasonable penalties on breach of such rules; they may also alter and amend the same, or make new orders; but such rules must be printed and published.

Carts.

By 1 Geo. 1. stat. 2. c. 57. no carter, drayman, carman, waggoner, or other person, shall, within the bills of mortality, ride on his cart, dray, car, or waggon, not having some person on foot to guide the same, on forfeiture of 10 s. In default of payment, he is to be sent to the house of correction for three days; but this act does not take away the power of the mayor of London, or the governors of Christ's Hospital.

By 18 Geo. 2. c. 33. carts, cars, or drays in London, may be drawn by three horses, and the name of the owner is to be placed thereon, and numbered, and registered with the commissioners for hackney coaches, under penalty of 40 s. Using more than three horses, is a forfeiture of the extra ones to the seiser.

Cart wheels, being full six inches broad, may be bound with iron, without rose headed nails. *Ibid.*

By 24 Geo. 2. c. 43. the penalty on a carter for riding on his cart, within the bills of mortality, is extended to within ten miles thereof, made general by 27 Geo. 2. c. 16.

By 30 Geo. 2. c. 22. empty carts, obstructing the streets, or highways, except while they are loading, forfeit a sum not exceeding 20 s.

No carts shall ply for hire in the streets leading to Westminster bridge. *Ibid.*

Every cart, carrying goods for hire, shall be deemed a common stage, and have the owner's name thereon. *Ibid.*

By 7 Geo. 3. c. 44. any person may search the register of carts, cars, and drays, kept by the commissioners of hackney coaches, on paying 4 d.

Cattle.

By 31 Geo. 2. c. 40. salesmen, or others employed to buy or sell cattle for others, are not to buy or sell on their own account, other than for provision in their own family, on penalty of forfeiting double the value.

By 14 Geo. 3. c. 87. and 21 Geo. 3. c. 67. any peace officer may secure persons driving cattle through the streets of London in an improper manner. If the party be convicted before a justice, he shall forfeit from 5 s. to 20 s. to the prosecutor, or be committed to the house of correction for one month.

Persons not being drivers of cattle, who shall pelt them with stones, or set dogs at them without leave, may be taken before a justice, and shall be subject to the same penalties. *Ibid.*

Offender

Offender to pay the forfeit, though the informer should neglect to attend. *Ibid.*

The court of aldermen may make orders for regulating drivers of cattle within *London* and *Westminster*, and impose fines, not more than 40 s. but the time for keeping *Smithfield* market open, shall not be shortened. *Ibid.*

Any justice within the bills of mortality, may determine complaints of offences against any rules to be made by the court of aldermen, and if the party be convicted, may fine him. Offender not paying the penalty, may be committed to the house of correction. *Ibid.*

Offenders who refuse to discover their names and places of abode, shall be committed to the common gaol, and an abstract of the penalties contained in this act, and of all rules to be made by the court of aldermen shall be printed, and posted up in the streets. *Ibid.*

Warrants may be executed on offenders, or their goods, out of the jurisdiction wherein they were granted. Prosecutions to be commenced in fourteen days. Appeal lies to the quarter sessions, giving fourteen days notice. Proceedings not to be quashed for want of form, nor removeable by certiorari. *Ibid.*

#### *Coaches and Chairs.*

By 9 *Ann. c. 23.* the crown, under the great seal, may nominate five commissioners, who are to license 800 coaches, and 200 chairs. Upon each hackney coach license, there shall be reserved the weekly sum of 5 s. to be paid monthly; and upon every chair license, the yearly sum of 10 s. to be paid quarterly.

Every coach and chair is to have a mark on each side, and altering the same is a penalty of 5 l. No horse to be used with any hackney coach shall be under fourteen hands high. Driving a coach without a license, is a penalty of 5 l. and for carrying a chair without one 40 s. *Ibid.*

The commissioners may make bye-laws to bind the renters, keepers, and drivers of hackney coaches and chairs, which must be approved of by the lord chancellor, the two chief justices, and chief baron, or any three of them *Ibid.*

The commissioners are to license ancient coachmen and chairmen, or their widows, in preference to others, and, on misbehaviour, they may revoke such licenses, or inflict a penalty, not exceeding 3 l. If it is not paid, the offender is to be committed to the house of correction for thirty days. *Ibid.* and also 7 *Geo. 3. c. 44.*

The drivers of coaches, and carriers of chairs, on demanding more than the fare, or giving abusive language, are to forfeit not more than 20 s. and in default of payment, they are to be sent to the house of correction for seven days. *Ibid.*

By 10 *Ann. c. 19.* the commissioners may license 100 more chairs.

By 1 *Geo. 1. c. 57.* coachmen refusing to go at, or exacting more than their fare, are to forfeit not more than 3 l. nor less than 10 s.

None



None but licensed persons shall ply or drive, on forfeiture of 5*l.* and mourning coaches shall not be driven to funerals, except they have a number, or be gentlemens coaches attending the master, under the like forfeiture. *Ibid.*

Aldermen in *London* may inflict the like penalties as the commissioners. *Ibid.*

By 12 *Geo. 1. c. 12.* the commissioners may license 100 more chairs.

By 4 *Geo. 3. c. 36.* justices of peace of *Kent* and *Essex*, may execute the laws relating to hackney coaches in their respective jurisdictions.

By 7 *Geo. 3. c. 44.* hackney coaches let out for hire, by way of a job, by the day, or for a less time, contrary to 9 *Ann. c. 23.* are liable to the penalty, though no hiring is proved.

Hackney coaches, plying for hire, are liable to go, at seasonable times, any where within ten miles from *London* or *Westminster*. *Ibid.*

The following rates of fares are by the same act allowed to be taken by licensed *hackney chairs*, viz. for one mile 1*s.* one mile and four furlongs, 1*s. 6d.* for every four furlongs further 6*d.* By the time, the first hour, 1*s. 6d.* and for every half hour after 6*d.* *Ibid.*

Offenders liable to be committed by any of the laws relating to licensing hackney coaches and chairs, may be committed either to prison, or to *Bridewell*, and kept to hard labour, and receive the correction of the house. *Ibid.*

Hackney coaches are liable to do the like work on *Sundays*, as on any other day of the week.

By 10 *Geo. 3. c. 44.* the commissioners may commit offenders immediately to *Bridewell*, or the house of correction, for one month. Licensed persons, refusing to appear upon summons, forfeit 20*s.* and refusing to appear, with his renter, on third summons, commissioners may determine the complaint, and inflict the due penalty. *Ibid.*

Not only the commissioners, but also justices, may determine offences, and inflict punishments, as directed by 9 *Ann. Ibid.*

The king's share of all penalties is to be sent to the receiver general of those duties, by the person levying the same, within ten days, on penalty of 10*l.* *Ibid.*

By 11 *Geo. 3. c. 24.* two hundred additional coaches, making in the whole 1000, may be licensed at 5*s.* per week, subject to all former laws.

By 11 *Geo. 3. c. 28.* all squares, buildings, and streets, in the parishes of *St. Mary-le-Bone*, *St. George*, *Hanover-Square*, *St. George the Martyr*, *Queen-Square*, and *St. George, Bloomsbury*, and all burying grounds within five miles of *London* and *Westminster*, belonging to any parish there, shall be under the jurisdictions of the commissioners of hackney coaches.

The commissioners are to order cheque strings to every hackney coach, and every hackney coachman plying without such, shall forfeit 5*s.* *Ibid.*

By

By 11 Geo. 3. c. 29. only ten hackney coaches shall stand between *Freeman's-Court*, and the east end of *Cornhill*, and five from *Bucklersbury* to *King-Street*, and to be twenty feet asunder, and at other places to be eight feet asunder, and room to be left for waggon, on penalty of 20s. and hackney coaches shall be registered at *Guildhall*.

By 12 Geo. 3. c. 49. the act 7 Geo. 5. c. 44. shall extend to all coaches licensed, and plying within the bills of mortality, and the suburbs of *London* and *Westminster*.

Stage coaches, though numbered, having a writing denoting their being stages, are not compellable to carry fares out of the course of the stage. *Ibid.*

By 24 Geo. 3. c. 27. from September 4. 1784, an additional weekly duty of 5s. shall be paid for all hackney coach licenses, the duty shall be paid monthly, and provisions of former acts relative to levying the duties, are extended to this act.

And licenses may be granted in future under payment of 10s. weekly rent. *Ibid.*

If owners of hackney coaches neglect to appear before the commissioners upon the third summons, their licenses may be revoked. *Ibid.*

Persons taking out new licenses, shall be subject to the same orders and penalties as heretofore. *Ibid.*

Any person driving a mourning coach or hearse, within five miles of *Temple-bar*, without a number properly fixed thereon, may be summoned before the commissioners, and fined 5l. *Ibid.*

No person shall drive any cart, dray, or like carriage, within five miles of *Temple-bar*, or in the bills of mortality, except the owner shall have entered his name and place of abode at the hackney coach office, and shall affix his name and the number of the carriage on some conspicuous part thereof, on pain of such forfeitures and penalties as are inflicted, on such drivers within *London*, *Westminster*, *Southwark*, and streets within the bills. *Ibid.*

By 26 Geo. 3. c. 72. the following fares shall be taken by hackney coachmen, viz.

For one mile and one fourth, 1s. for three-fourths of a mile further, 6d. for half a mile beyond the former three-fourths, 6d. and for every half-mile further, 6d. for three quarters of an hour, 1s. between three quarters of an hour and an hour, 1s. 6d. between an hour, and an hour and twenty minutes, 2s. and for every twenty minutes afterwards, 6d. for a day of twelve hours 14s. 6d.

Penalties for exacting more than these fares, are to be recovered as heretofore. Licenses may be revoked when arrears thereon are not paid. *Ibid.*

### Coals.

By 16 & 17 Car. 2. c. 2. all coals brought into the *Thames*, shall contain thirty-six bushels to the chaldron, to be heaped; the hundred

to weigh 112lb. Selling contrary hereto, is a forfeiture of the coals, and double the value thereof.

The lord mayor of *London*, and the justices of peace, may set the rates on retailing them; and retailers refusing to sell at such rates, they may authorize persons, taking a constable, to enter by force, and make sale at the rates appointed.

By 9 *Ann. c. 28.* crimps, husbands, agents, or factors for ship masters, importing coals at *London*, vending coals to their own agents, in trust for themselves, are to forfeit 50*l.*

By 3 *Geo. 2. c. 26.* dealers in coals may use their own lighters on the river *Thames*; the lighters are to be entered, marked, and subject to the rules of the watermens company.

Buyers of coals for sale, acting as crimps, and masters employing them, are to forfeit 200*l.* each. *Ibid.*

To further enforce the last act 9 *Ann. c. 28.* persons receiving gratuities for contracts from fitters, coal owners, or masters of ships, and selling one sort of coals for another, shall forfeit 500*l.* but coal owners may employ fitters and crimps, not being lightermen or coal dealers. *Ibid.*

Contracts and notes for coals shall be entered and subscribed by buyer and seller, in the factor's book, who is to forfeit 50*l.* upon refusal or neglect herein. *Ibid.*

The notes are to express *value received in coals*, and refusing to give them is a forfeiture of 100*l.* *Ibid.*

Masters of vessels refusing to give yearly accounts to the owners, forfeit 100*l.* and dealers not delivering the allowance called in-grain, are to forfeit the like sum. *Ibid.*

Coal sacks shall be sealed and marked with white paint at *Guildball*, *London*, or at the exchequer, in *Westminster*, and be four feet and two inches long, and twenty-six inches broad, on pain of forfeiting 20*s.* per sack; but consumers of coals may, for their own use, have such sacks as they think proper. *Ibid.*

Sellers of coals shall keep a bushel edged with iron, and sealed or stamped, and put three bushels into each sack; using other measures, is a forfeiture of 50*l.* and servants offending herein, are to be sent to the house of correction for not more than thirty, nor less than fourteen days. *Ibid.*

The measures are to be sealed or stamped, either at *Guildball*, in *London*, or at the exchequer office, in *Westminster*, upon penalty of 50*l.* *Ibid.*

Offenders against this act discovering other offenders, are to be acquitted, and receive a share in the penalties, which are to go half to the crown, and half to the informer, with costs. *Ibid.*

By 4 *Geo. 2. c. 30.* a penalty of 100*l.* is inflicted on masters of coal ships keeping turn in delivering coals in the *Thames*.

Cocquets are to be delivered by the master within four days after the arrival of the ship at *Gravesend*, on penalty of 50*l.* *Ibid.*

By 11 *Geo. 2. c. 15.* buyers and sellers of coals at *Billingsgate*, or within the bills of mortality, shall sign all contracts made between them, in the factor or crimp's book, under penalty of 50*l.* and



and the masters of ships are to produce to their owners a copy of such contract, signed by the crimp or factor, under the like penalty of 50*l.*

By 7 *Geo. 3. c. 23.* in force by 26 *Geo. 3. c. 83.* till June 1798, the land coal meters office, for regulating the admeasurement of coals in London, and between *Tower Dock* and *Limehouse Hole*, was appointed.

The principal coal meter to be subject to the court of aldermen, and to be sworn. Labouring coal meters are to be appointed by him, who are to attend at the various wharfs, and likewise to be sworn. *Ibid.*

Coal meters are not to be interested in the sale of coals, on pain of 20*l.* and incapacitation. *Ibid.*

The stations of labouring meters are to be frequently varied. Coals are to be measured in the presence of a labouring meter. The coal meter's fee is 4*d.* Tickets are to be delivered to the carman; and altering tickets is a penalty of 10*s.* *Ibid.*

Wharfingers, or others, bribing meters, forfeit 20*l.* and meters permitting deficient sacks to be used, forfeit 40*s.* *Ibid.*

Penalties above 5*l.* may be recovered in the courts at *Westminster*; under, before magistrates, with appeal to the quarter sessions; but no certiorari; and go half to the informer, and half to the poor. *Ibid.*

The duty of 6*d.* per chaldron and 6*d.* per ton, on coals imported into London, established by 5 & 6 *Will. & Mar. c. 10.* is continued for 46 years, from the 29th of September 1785, for completing *Blackfriars* bridge, redeeming the tolls of London bridge, rebuilding *Newgate*, repairing the royal exchange, and embanking part of the North side of the river *Thames*, and then for paving the streets of *Westminster* and *Southwark*, to pay the orphans debt by 1803, and to do the other works by *Michaelmas* 1831. *Ibid. c. 37. Qu. whether merged in the duties imposed by 27 Geo. 3. c. 13. see Title, Importation, &c.*

By 10 *Geo. 3. c. 53.* coal undertakers are not to take reward for employing heavers, on penalty of 5*l.*

Victuallers not to be undertakers on penalty of 5*l.* persons discharging coal ships, to be paid 1*s.* 6*d.* per score, subject to alteration by the court of lord mayor and aldermen; the money to be paid to the foreman of the gang in current coin. *Ibid.*

Leaving any ship before discharged, punishable as servants in husbandry, except where otherways directed; and the foreman may stop 6*d.* per pound, till the charges of passing this act are paid. *Ibid.*

By 26 *Geo. 3. c. 83.* the 7 *Geo. 3. c. 23.* except where altered by this act, shall continue in force with this act, till June 1798.

The principal coal meters shall appoint labouring coal meters to attend at the wharfs, to measure coals, who are to be sworn. The principal neglecting to send a labouring coal meter, and the labouring coal meters not attending on notice, forfeit 20*s.* each. *Ibid.*

The vendor sending coals unmeasured, or without a ticket forfeits 10*l.* *Ibid.*

Sacks shall be sealed or marked if they are full four feet four inches long, and twenty-six inches broad, and not otherwise; and persons using other sacks, or false measures shall forfeit 5*l.* *Ibid.*

Labouring meters delivering false tickets; or receiving any other gratuity besides 4*d.* per chaldron; or making false measure; or delivering any ticket for coals he did not see measured; shall forfeit 40*s.* *Ibid.*

Carmen taking or permitting coals to be taken out of his cart shall forfeit 40*s.* or be imprisoned three months. *Ibid.*

Persons dissatisfied may have coals re-measured, driver shall continue with the coals and cart till re-measured, under penalty of 5*l.* on the owner, and 20*s.* on the driver; and the purchaser must send notice in writing to the vendor and meter, and pay 6*d.* per chaldron for re-measuring; and if on re-measurement coals prove deficient, the vendor shall pay 5*l.* for every bushel, and forfeit the coals, and the coal porters who measured shall forfeit 2*s.* 6*d.* a bushel.

Penalties and forfeitures shall be recovered and applied, as directed by 7 Geo. 3. c. 23. *Ibid.*

The 26 Geo. 3. c. 14. regulates the admeasurement of coals sold by wharf measure, within the several parishes lying between Putney and Rotherhithe both inclusive, in the county of Surrey, and contains similar regulations to the following.

By 26 Geo. 3. c. 108. the land coal meter's office for Westminster was established under the title of the principal land coal meter's office for the city and liberty of Westminster; and two principal meters were appointed. Justices are to administer the oaths required: the principal meters are to be sworn, for the faithful discharge of their duty, and are to appoint labouring meters to attend at the wharfs within the above limits, who are to be sworn to measure coals faithfully.

The meters are not to be interested in the sale of coals on penalty of 20*l.* and incapacitation. Principals neglecting to send a labouring coal meter, and labouring coal meters not attending on notice, forfeit 20*s.* *Ibid.*

Stations of labouring meters shall be varied; and coals shall be measured in their presence. *Ibid.*

The coal meter's fee is 4*d.* per chaldron, to be paid by the seller. Tickets are to be delivered to the seller or carman, containing the particulars of the coals sold, and when, and by, and to whom, with notice to have the same re-measured before shot, in case of dissatisfaction; which tickets are to be delivered by the labouring meter to the carman, and by him to the consumer, who is to repay the metage to the seller; labouring coal meters neglecting to deliver tickets to the carman forfeit 40*s.* and the carman altering or refusing to deliver it to the consumer forfeits 10*s.* *Ibid.*

Vendors sending coals unmeasured, or without a ticket, forfeit 10*l*. Sacks shall not be sealed or marked, which shall not be full four feet four inches long, and twenty-six inches broad, and using sacks of other dimensions is a penalty of 5*l*. *Ibid*.

Wharfingers bribing meters forfeit 50*l*. Meters permitting deficient sacks to be used, forfeit 40*s*. and labouring meter delivering false tickets, or receiving any reward besides 4*d*. per chaldron; or making false measure; or delivering any ticket for coals he did not see measured, forfeits 40*s*. *Ibid*.

This act is not to extend to waterworks, or persons having one chaldron or more of coals as pool measure. *Ibid*.

Meters suffering coals to pass without being measured, forfeit 5*l*. and carmen taking, or permitting coals to be taken out of the cart are to forfeit 40*s*. or be imprisoned three months or not less than one month. *Ibid*.

Persons dissatisfied may have coals re-measured, signifying their desire by notice in writing to the vendor and meter, and the driver shall continue with the coals and cart till re-measured; the purchaser shall pay 6*d*. per chaldron for re-measuring, and if the coals are deficient the vendor shall forfeit 5*l*. per bushel, and every chaldron to the poor, the meters are likewise to forfeit 5*l*. per bushel, and the coal porters 2*s*. 6*d*. *Ibid*.

Carmen are to be paid 2*s*. 6*d*. per hour, when stopped to re-measure coals. *Ibid*.

But dealers offending under this act are not liable to other penalties. *Ibid*.

This act is to remain in force 'till 1795.

#### Constables.

By 29 *Geo. 2. c. 25.* and 31 *Geo. 2. c. 17.* eighty constables are to be appointed yearly at a court-leet for the city and liberty of *Westminster*.

High constable of *Westminster* shall obey the orders of the court leet, and petty constables are to be assisting, on pain of being amerced not exceeding 40*s*. but persons aged, are exempted from serving as constables or as leet jurymen, in *Westminster*. 31 *Geo. 2. c. 17.*

#### Coopers.

By 23 *Hen. 8. c. 4.* and 31 *Eliz. c. 8.* the wardens of the mystery of coopers shall search, mark and gauge all vessels in *London*, and such as are brought from beyond the sea for ale and beer; for which they are to have the fee of 1*d*. for butts or pipes, and one halfpenny for other vessels, and the vessels may be detained till the fee is paid.

The said wardens shall come to the brewers houses to gauge vessels, but such as shall be filled with ale or beer, and directly exported, are exempt. 31 *Eliz. c. 8.*



## Corn.

The 21 Geo. 2. c. 25. directs the establishment of a free market for the sale of corn and grain at *Westminster*. Qu. if carried into execution.

By 21 Geo. 3. c. 50. common prices of *English* corn, in the ports of *London*, *Kent*, and *Essex*, shall be regulated by the prices to be ascertained in the city of *London*.

The inspector of returns of corn, shall receive from the factors in the corn exchange, a weekly account (signed) of the corn sold by them, containing the price and names of the purchasers. The inspector is to compute the aggregate quantity of each sort of grain, and the average prices thereof; and to publish a transcript of such account in the *London* gazette weekly; which shall be deemed to have been the average prices, during each respective week, in *Kent*, *Essex*, and *London*. *Ibid*.

The secretary of the corn exchange is to deliver to the inspector, when required, the names and places of abode of all corn factors belonging to the said market; on pain of not more than 20s. nor less than 10s. *Ibid*.

The inspector is to insert a list of the names and places of abode of the said corn factors in a book. *Ibid*.

The weekly returns taken by the inspector, shall be filed and deposited in his office, and in case any such returns shall be suspected to be fraudulent, any person specifying in writing the particulars, may have a copy, paying the inspector a penny per word. *Ibid*.

Corn factors delivering in fraudulent returns, forfeit not more than 10*l*. nor less than 5*l*. to the informer. *Ibid*.

The inspector shall compute the aggregate quantity of each sort of grain, and the average prices thereof from session to session, which account he shall transcribe into a book, and deliver on the first day of each quarter sessions, in open court, to the lord mayor and aldermen. *Ibid*.

Such general average prices shall be deemed to have been the prices of middling *English* corn in *Kent*, *Essex*, and *London*; and shall be published in the *London* gazette, and certified to the chief officer of the customs in the ports of *London*, *Kent*, and *Essex*, and the duties on importation of foreign grain shall be regulated by the said average prices. *Ibid*.

The inspector in order to prevent fraudulent returns is to present to the court the names of all the corn factors, written on tickets, which are to be put into a box by the clerk of the court, and after they are well shaken, he is to draw the names of two corn factors out of such box, who are to verify their returns on oath, at the next sessions at farthest. If they do not obey the summons of the court, they are to forfeit, not more than 50*l*. nor less than 25*l*. half to such purposes as the court shall direct, and half to the inspector. *Ibid*.

The proprietors of the corn exchange are to meet together and appoint a proper person to be inspector; and deliver such appointment, within a month after, to the lord mayor, or one of the aldermen, who is to deliver the same to the next sessions, and an apartment is to be furnished in or near the corn exchange for the use of the inspector. *Ibid.*

On death or resignation of inspector, another is to be appointed within a month, the proprietors in case of inspector's sickness, may appoint a substitute; which appointment shall be presented to the next sessions; and on neglect of the proprietors, the lord mayor may appoint such substitute. *Ibid.*

If the proprietors neglect to appoint an inspector, the lord mayor and aldermen, at the next sessions are to appoint one. *Ibid.*

No inspector shall be removed from his office, except by the sessions, and when so removed, a successor is to be appointed. *Ibid.*

Corn factors neglecting to deliver weekly returns, are to be summoned before the sessions, and for such neglect, or not obeying the summons they are to forfeit not more than 10*l.* nor less than 5*l.* half at the discretion of the court, and half to the inspector. *Ibid.*

A duty of an halfpenny per last on all corn sold, shall be paid to the inspector, and the amount thereof shall be stated and presented to the sessions twice a year; and a sum not exceeding 120*l.* *per ann.* nor less than 100*l.* *per ann.* shall thereout be allowed the inspector for his salary, the court first deducting the allowance made to any substitute, during the inspector's illness, the surplus goes to the proprietors of the corn exchange. *Ibid.*

If the corn factor neglects to pay the duty upon the weekly return, it may be levied by distress. *Ibid.*

The inspector is to give security in 200*l.* to account for, and pay the duties received. *Ibid.*

The penalties and forfeitures are to be levied by distress, and the proceedings are not to be quashed for want of form. *Ibid.*

The rights of the corporation of London to appoint corn markets are saved. *Ibid.*

#### Courts.

By 25 Geo. 3. c. 18. the session of gaol delivery of Newgate for Middlesex, shall not be discontinued by the sitting of the court of King's Bench.

#### Customs.

By 1 Ann. stat. 1. c. 26. no cocquet shall be required of masters of hoys carrying corn or other goods on the Thames whereon no duty is payable on exportation, but the same may be conveyed by transire for which the officers shall not take more than 3*s.* and 4*d.*

When there are not 50 quarters of corn, or 50 bags of hops in such vessels, the officers shall not take more than 1*s.* 8*d.*  $\frac{1}{2}$ . *Ibid.*

Certificates

Certificates on bonds transmitted into the exchequer shall be indorsed on the back of the bond, on pain of treble damages and costs. But this act does not take away any tolls payable to the city of London, or the ports of Sandwich or Ipswich. *Ibid.*

*Debts Small.*

By 3 Jac. 1. c. 15. citizens and freemen of London having debts under 40s. may cause the debtor to be summoned to the court of requests at Guildhall; and the debt there shall be summarily determined. Debtors refusing to appear, or pay, shall be imprisoned; but this shall not extend to debts for rent, or on real contracts.

The 14 Geo. 2. c. 10. extends the above act to all persons inhabiting the city.

By 22 Geo. 2. c. 47. and 32 Geo. 2. c. 6. debts under 40s. may be recovered in the court of conscience in Southwark.

By 23 Geo. 2. c. 27. and 24 Geo. 2. c. 42. the like in Westminster.

By 23 Geo. 2. c. 30. the like in the Tower Hamlets.

By 23 Geo. 2. c. 33. the like also in the county court of Middlesex.

By 19 Geo. 3. c. 68. commissioners of the Tower Hamlets may purchase ground and build a court house, and grant annuities; may take cognizance of debts for rent under 40s. if the complainant hath been in possession twelve months, and no recovery of rent in the said court shall be given in evidence in support of a title, nor shall this act extend to prevent a distress or action for rent.

If the defendant does not appear, judgment may be given in his absence, but he must have a day to shew cause. No victualler to act as a commissioner, nor is this act to extend to the liberty of the Tower within. *Ibid.*

By 25 Geo. 3. c. 45. debtors committed to prison by courts of conscience in London, Middlesex, or Southwark, for a debt of 20s. or under; shall not be confined more than twenty days, and not exceeding 40s. for more than forty days.

Such prisoners are to be discharged without paying gaol fees; and gaolers demanding or taking fees shall forfeit 5l. two justices may determine offences against this act, levy the penalties by distress, or on non-payment commit the offender for two months. *Ibid.*

Courts of conscience are not to issue process against both body and goods of the same party, and no commissioner shall act, unless he has a real estate of 20l. per ann. or a personal estate of 500l. on pain of 20l. *Ibid.*

*Disseisin.*

By 6 Ed. 1. c. 14. on disseisin in London, damages shall be recovered with the freehold, and the disseisors shall be amerced before two barons of the exchequer, who shall once a year come into the city to do it.



*Dyers.*

By 23 Geo. 3. c. 15. dyers in *London*, or within ten miles thereof, shall be subject to the examination of the dyers company, who are to appoint searchers; which searchers may enter dyers houses to examine and take samples of cloths, bays, or the like, to be dyed black or blue; opposing them is a penalty of 10*l.* and in case the dyers company neglect to appoint searchers, the quarter sessions may appoint them. (*See page 115.*)

*Elections.*

By 11 Geo. 1. c. 18. at all elections by the liverymen of *London*; and at the wardmotes, a convenient number of clerks shall be appointed by the presiding officer to take the poll, none shall be polled before sworn, *that he is a freeman of London, and has not polled before.*

If a poll be demanded, the presiding officer, on pain of 200*l.* shall begin it the same day, or the next day, and finish within seven days. If a scrutiny be demanded upon the declaration, scrutineers shall not exceed six on each side, to begin within ten days, and finish within fifteen. *Ibid.*

A true list shall be given of the voters disallowed, to any of the candidates desiring the same; and the mayor is to issue precepts to the city companies, to bring in lists of their livery within three days. *Ibid.*

The election of aldermen and common councilmen shall be by freemen paying 30*s.* a year scot and lot, and paying 10*l.* *per ann.* rent, and partners in trade, or two inhabiting one house, may vote, each paying 10*l.* *per ann.* rent. *Ibid.*

Persons exempted from scot and lot, by act of parliament, charter or privilege may vote. Complainants about assessments may appeal to the mayor and aldermen. But none shall vote at elections who have not been upon the livery twelve months; nor shall they vote if they have received back their livery fines, or been excused paying the rates and taxes within two years. *Ibid.*

*Personal Estates.*

By 11 Geo. 1. c. 18. freemen of *London* may dispose of their personal estates as they think fit, notwithstanding any custom to the contrary, unless they have made a marriage agreement that their personal estate shall be subject to the custom, or die intestate.

*Fire Works.*

By 9 & 10 Will. 3. c. 7. the artillery company of *London* may use any sorts of fire works, in the exercise of arms, as before the making this act. (*See page 244.*)

Fire.

By 6 *Ann. c. 31.* churchwardens of each parish within the bills of mortality shall fix stop blocks of wood, or fire-cocks on the mains and pipes of any waterwork; shall fix a mark on the front of the opposite house; every parish shall keep one large engine, one hand engine, and one leather pipe, on pain of 10*l.* Gratuities shall be paid to turncocks, engine-keepers, and others first assisting to extinguish any fire.

Watermen belonging to insurance offices shall be free from impressing. *Ibid.*

Servants who through negligence fire any house shall forfeit 100*l.* or be sent to the work-house for 18 months. *Ibid.*

On breaking out of any fire, all constables and beadle shall give their utmost assistance; and no action shall be prosecuted against any person in whose house any fire accidentally begins, excepting any agreement between landlord and tenant.

By 7 *Ann. c. 17.* the vestries may order more engines than one to be kept in a parish. A key and pipe shall be left at the house where there is a notice of a fire plug. The parish officers may assess rates for maintaining the engines, to be levied as poor rates, but subject to the like appeal.

In case of removal of mains or pipes, the like stop blocks shall be fixed, and the key removed to the house where the fire pipe is. *Ibid.*

Not above ten gallons of turpentine shall be boiled or distilled at one time in any place contiguous to other buildings (except in houses already built in *Southwark*) on forfeiture of 100*l.* and treble costs. *Ibid.* (See page 377, 378.)

Fish.

By 17 *Ric. 2. c. 9.* the mayor of *London* shall have the conservation of the statutes for preserving fish, in the *Thames* to *Staines*, and *Medway*.

By 2 *Hen. 6. c. 15.* he that fastens any nets, trunks or the like, across the *Thames*, or other rivers, all night, shall forfeit 5*l.* every time.

By 39 *Eliz. c. 10.* the ordinances of the company of fishmongers in *London* to restrain the taking, selling or buying of fish shall be void: but

By 43 *Eliz. c. 9.* such clause was repealed, and they shall not restrain fishermen in taking, selling or buying, salted fish or herrings being wholesome and sweet.

By 10 & 11 *Will. 3. c. 24.* *Billinggate* market shall be free and open every day (except *Sundays*) for all sorts of fish.

No fisherman shall pay any other toll than as follows, *viz.* for every vessel with salt fish 8*d.* per day for groundage, and 20*d.* per voyage: for every lobster boat or vessel with sea fish, 2*d.* per day for groundage, and 13*d.* per voyage; and for every oyster boat 2*d.* a day for groundage, an halfpenny per bushel for metage, and 13*d.* a voyage. *Ibid.*

Fish bought at *Billinggate* may be sold elsewhere. No person shall demand toll or sample of sea fish contrary to 5 *Eliz. c. 5.* (*See page 248*) on pain of 10*l.* *Ibid.*

Fish shall not be bought there, to be divided into shares, and afterwards retailed, or in behalf of other fishmongers, on pain of 20*l.* nor shall lobsters under eight inches be bought, on pain of 1*s.* each. *Ibid.*

By 9 *Ann. c. 26.* the court of assistants of the fishermens company may make bye laws, to be approved by the court of aldermen of *London*, and the water bailiff is to be one of the wardens of the company.

No spawn shall be killed, nor fish caught out of season, nor salmon taken between the 24th *August* and 11th *November*, and the lord mayor may order stakes to be fixed in the *Thames* to preserve the fry. *Ibid.*

No fish shall be sold more than once within *Billinggate* market, and none shall sell fish in the said market, or within 150 yards thereof, except free fishmongers, fishermen, importers, and the like, *Ibid.*

The said company shall pay the water bailiff 30*l.* a year. No fish shall be sold in *Billinggate* before three in the morning from *Lady Day* to *Michaelmas*, and five from *Michaelmas* to *Lady Day*. The offenders against this act are to forfeit not more than 10*l.* nor less than 5*s.* but it does not prejudice the authorities of the city of *London*, nor extend to fishermen in the *Cinque Ports*. *Ibid.*

By 22 *Geo. 2. c. 49.* there shall be a free and open market held in the city of *Westminster* for all sorts of fish.

Vessels coming to the said market with fish to pay the following duties for groundage. *Ibid.*

Vessels with salt fish 8*d.* per day, and 20*d.* per voyage.

Lobster boats or vessels with fresh sea fish, 2*d.* per day, and 13*d.* per voyage; and oyster vessels pay the like.

Fish bought in the market may be sold in any other place being wholesome. *Ibid.*

Contracts for fish to be sold by retail before brought to the market, declared void, and penalty given of 50*l.* *Ibid.*

Not to make void contracts for fresh salmon, soles, oysters, or salt or dried fish. *Ibid.*

Forfeiture of the cargo on fishermen not selling the same within eight days after their arrival on the coast between *North Yarmouth* and *Dover*. *Ibid.* Qu. *If carried into execution?*

By 29 *Geo. 2. c. 39.* fishing vessels employed for the supply of *London* and *Westminster* markets, breaking bulk, or vending their fish before their arrival in the river, or not entering their vessel, or not selling their fish within eight days, to forfeit vessel and cargo of fish.

Twelve days are allowed for the sale of lobsters; and fishing vessels may remove their cargoes before their arrival at the *Nore*, so as not to make sale thereof.

Peter boats employed for serving towns near the banks of the river may dispose of their fish as heretofore. *Ibid.*



The trustees of the markets shall appoint inspectors of the fishing vessels authorized to examine, 10*l.* penalty on persons on board not giving him the information he wants, or obstructing him in his office. *Ibid.*

Warrants of distress on fishing vessels or cargoes may be executed in any part of the rivers *Medway* or *Thames*, between the *Nore* and the city of *Westminster*. *Ibid.*

5*l.* penalty on exposing to sale any fish within 500 yards of the *Westminster* fish market without a license. *Ibid.*

Fishmongers there, indemnified for selling in their shops fish bought in the market. *Ibid.*

By 30 *Geo. 2. c. 21.* the court of mayor and aldermen of *London* are impowered to make and enforce regulations of fishermen and drudgermen in the *Thames* and *Medway*.

The court may examine fishermen touching the fishery of the *Thames* and *Medway*, fishermen refusing, forfeit 40*s.* for the benefit of *Greenwich* hospital. *Ibid.*

The water bailiff may enter into fishermen's boats, and seize all prohibited fish, and nets. *Ibid.*

Fishermen are not liable to take out licenses, or to pay any gratuity, for liberty of fishing. *Ibid.*

By 33 *Geo. 2. c. 27.* so much of the last act as obliges fishermen to enter and report their vessels with the searcher at *Gravesend*, repealed. And such report for the future to be made within three days after the arrival of every vessel with fish at the *Nore*, to the clerk of the coast-office, *London*, who shall enter and grant a certificate of the same, for which 2*s.* shall be paid.

The master neglecting to make such entry, forfeits, on conviction, 50*l.* *Ibid.*

Refusing or neglecting to give in at the same time, particular account of the several sorts of fish brought alive to the *Nore* in his vessel, forfeits 20*l.* and after such arrival, if he wilfully destroys or throws away any of the said fish, not being unwholesome, he is liable to be committed to the house of correction. *Ibid.*

No fish after its arrival at the *Nore* is to be removed out of the vessel into the store or well boat of any other vessel but such as shall be employed to carry the same to market directly. *Ibid.*

No salesman may buy any fresh fish to be sold again, in which he is to be any ways interested. *Ibid.*

Bret, turbot, brill or pearl, may be brought to market, though under the dimensions of sixteen inches, but shall not be sold by retail for more than 6*d.* a pound, on forfeiture of 20*s.* *Ibid.*

A particular account of the quantity of the several sorts of fish shall be placed over the stall in all fish markets within the bills of mortality. *Ibid.*

Fish unsaleable, or unseasonable, may be seized. *Ibid.*

By 2 *Geo. 3. c. 15.* any person, though not a fishmonger, may buy at any market, sea coast, or river, any fish in season, and saleable, and may sell the same again in any fish or flesh market, *Covent Garden* market and its precincts excepted.

Such

Such fish not to be re-sold by the first purchaser, before brought to London or Westminster, or where consigned, under penalty of 20*l*. *Ibid*.

And to be conveyed to the places consigned, without being liable to be stopped, and exposed to sale on the way. *Ibid*.

Carriages employed in the service are to carry fish only, and to be marked on the outside, *fish machine only*; and are to be entered at the office for licensing hackney coaches, paying 1*s*. for the registering: and numbered, on penalty of 40*s*. and are not liable to be deemed common stage waggons. *Ibid*.

They shall be permitted to travel with four horses in pairs or with one horse; or three horses in length, though with narrow wheels; and shall only pay the like toll as post chaises drawn by a like number of horses; and may travel on *Sundays* and holidays, And neither carriages or horses, if returning empty shall be liable to toll; and if any game or other thing besides fish, and the necessary implements of carriage, be put therein for conveyance, the person putting in the same shall forfeit 5*l*. and if the driver shall take up, or suffer any passenger, game, or other thing, to be carried therein, he shall forfeit 40*s*. or be imprisoned one month. *Ibid*.

If bulk shall be broke of any fish carriage consigned for London markets, before brought within the bills of mortality, or sale made of the fish before they are exposed in the markets, the offender shall forfeit 10*l*. *Ibid*.

The fish, after brought up, is to be sorted, and exposed to sale, in market next morning (*Sundays* excepted) and till so exposed, no part thereof is to be sold by retail, on pain of 10*l*. but mackrell may be sold on *Sundays*. *Ibid*.

Persons contracting for buying up fish, other than salmon and lobsters, before the same shall be first brought to market, and exposed to sale there, forfeit 50*l*. and the contract is void. *Ibid*.

No contract for *British* salmon and lobsters shall be in force longer than one year. *Ibid*.

No person may employ or be employed in buying at the markets, fish brought there for sale, to be afterwards divided amongst fish-mongers, or others, to be sold; nor may any person buy in the said markets any fish, but what shall be for his own sale or use, on pain of 20*l*. *Ibid*.

No salesman or other person may refuse to sell, or agree not to sell to or for any particular person's use, any fish exposed to sale at a public market, on pain of 20*l*. *Ibid*.

All fish of the respective sorts specified, brought for sale to the London markets, shall be openly sold at the first hand, in the lots prescribed, and every lot is to consist of one sort of fish only. *Ibid*.

The species of fish, and number allowed to be sold in each lot at Billingsgate, or other markets, are as follows, *viz*.

AT BILLINGSGATE, ELSEWHERE.

Small pike,	-	-	6	4
Haddock, large,	-	-	4	2
Haddock small	-	-	24	3

Perch,

	AT BILLINGSGATE,	ELSEWHERE.
Perch, six inches,	12	8
Carp, gurnet,		
Tench and Sea } Bafs	6	4
Thornbacks,	2	1
Soals, large,	4 pair	2 pair
Soals small	8 ditto	4 ditto
Mackrell whittings,		
Plaice, dabs, herrings,		
Pilchards, garb fish,	60	30
flounders and maids }		
Smelts	52	26
Eels,	20 lb.	10 lb.
Lobsters and crabs, large,	20	10
Ditto, small	40	20
Fresh salmon, sturgeon,		
large fresh cod, skaite,		
pike, turbot, bret, bril,		
pearl, kingston, ling,		
and doreys,		
Half fresh cod <i>two in a lot.</i>		
Quarter cod, <i>four in a lot.</i>		
And mullets, cole-fish, salmon } trout, and trouts		<i>two in a lot.</i>
And all small cod	24	8

No fish to be bought or sold, at first, in greater lots, nor more than one sort in a lot, on pain of 5 *l.* But a smaller number, or less weight of eels than as above, may be exposed to sale. *Ibid.*

No fish may be sold again, or exposed to sale the same day, in the same market, where before sold, on pain of 10 *l.* but the buyer may sell the same, while sound, elsewhere. *Ibid.*

Before any fish be sold, at the first hand, in the said markets, an account of the sorts, and quantities to be set up at the fish stand, the number of flounders, plaice, and dabs excepted. And also of mackrell, maids, herrings, and pilchards; and if any other fish of the sorts mentioned be brought for sale, before the market of the day is over, they are likewise to be added to the account, before they are exposed to sale, and the said accounts are to be kept up, till the fish are sold, or the market over, on pain of 5 *l.* or if any person before such time shall take down, or alter the accounts put up, or cause the same to be done, he forfeits 40 *s.* *Ibid.*

No fisherman after the arrival of his vessel from fishing, may destroy, or cast away any fish, not being unsound, remaining unsold after the market is over; on pain of imprisonment for not more than two months, nor less than one week. *Ibid.*

The following persons are exempted from being impressed, *viz.* 1<sup>st</sup>, masters of fishing vessels, having one or more apprentices therein under 16 years of age, bound for five years; 2<sup>dly</sup>, all such apprentices, not exceeding four to every master or owner of vessels of thirty



thirty tons or more, and two to every vessel under thirty tons; during their apprenticeship, and till the age of twenty years, continuing in the business of fishing only; 3dly, one mariner, besides the master and apprentices, to every fishing vessel of ten tons burthens or upwards, employed on the sea coast, during his continuance in such service; 4thly, any landman entering, and employed on board for two years, if he so long continues in the service. *Ibid.*

On affidavit being made before some justice, and laid before the admiralty that the persons therein named and described, come within some or one of the above descriptions (inserting the particulars) the admiralty shall thereupon, unless they suspect the truth of such affidavit (which in such case they are to enquire into) grant without fee, a separate protection to each person, which being produced shall discharge him from any impress: and if any officer refuses his discharge or takes away the protection, he forfeits 20*l.* to the party, if not an apprentice, and if an apprentice, to the master. *Ibid.*

Masters, or owners of fishing vessels, knowingly harbouring a deserter from the king's service, forfeit 20*l.* *Ibid.*

Justices may determine offences under this act, and levy the penalties by distress if not paid in twenty-four hours, or for want of distress, on prosecutor's application (except in the case of driver of a fish carriage) the offender may be committed for two months. *Ibid.*

Prosecutions to be within three months, and one moiety of the penalties goes to the informer, and the other to Greenwich hospital. *Ibid.*

This act is extended to the parish of St. Mary le Bone in Middlesex. *Ibid.*

The prohibitory clauses in this act against contracts, are not to extend to those made with regard to salt or dried fish, or oysters, carp or tench. *Ibid.*

#### *Frame-work Knitters.*

By 7 & 8 Will. 3. c. 20. exporting stocking frames or engines, is a penalty of 40*l.* and forfeiture thereof; and the master and wardens of the company of frame knitters, London, shall have notice of the selling or removing of stocking frames.

#### *Fuel.*

The 7 Ed. 6. c. 7. and 43 Eliz. c. 14. directs the size of talwood billets, and faggots, to be sold in London and elsewhere, and by the first of these acts, none shall buy fuel, but such as will burn, or retail the same.

By 9 Ann. c. 15. billets exposed to sale on any wharf shall be affixed, cut and marked, according to their casts, and each contain in length three feet and four inches; on forfeiture thereof to the poor; but proprietors of trees may mark or not mark their billets, as they please for private use.

By 10 *Ann. c. 6.* the laws directing the assize of fuel, shall not extend to billet made of beech wood. But beech wood billet shall not be sold by retail in *London* or *Westminster*, unless by weight or assized according to former usage.

### *Fustians.*

By 11 *Hen. 7. c. 27.* and 39 *Eliz. c. 13.* no deceitful practices shall be used upon any fustian, but only the broad shears; on pain of 20s. and the lord mayor of *London*, or the clothworkers company may enter and search the occupiers of fustians.

### *Goldsmiths.*

By 6 & 7 *Will. 3. c. 17.* the wardens of the goldsmiths company with two of the assistants, within the bills of mortality, may search houses for bullion, and the person in whose possession bullion is found, not proving it to be neither coin nor clippings melted, shall be imprisoned six months.

By 12 *Geo. 2. c. 26.* the goldsmiths company may take for assaying and marking plate as follows. For gold watch cases or boxes and hooks for watch chains 10*d.* each: gold buckles 5*d.* each: gold snuff-boxes 15*d.* each: wrought gold of 30 ounces or under 2*s.* 6*d.* from 30 to 50 ounces 3*s.* 9*d.* and so in proportion, and 15*d.* for each piece of wrought gold not amounting to 15*d.* by such rates.

For every parcel of wrought silver weighing four pound troy, 5*d.* if above, a diet of ten grains per pound shall be taken for every sword hilt 5*d.* snuff-box 3*d.*  $\frac{1}{2}$ , a pair of spurs 3*d.*  $\frac{1}{2}$ , watch-case 2*d.*  $\frac{1}{2}$ , knife or fork haft 1*d.*  $\frac{1}{4}$ , pair of buckles  $\frac{1}{2}$ , dozen tea spoons 3*d.*  $\frac{1}{2}$ , belt buckles, locks, runners, and pendants 2*d.*  $\frac{1}{2}$  each, orange strainers, or graters 1*d.*  $\frac{1}{4}$  each, dram cups  $\frac{1}{2}$ , dozen of seals 3*d.*  $\frac{1}{2}$ , salt cellar 1*d.*  $\frac{1}{2}$ , clasps  $\frac{1}{2}$  a pair, buttons 3*d.*  $\frac{1}{4}$  the dozen.

The company on persons refusing to pay such prices, may refuse to assay the plate. And the assay office shall be kept open from seven till nine in the morning. *Ibid.*

### *Hay.*

By 2 *Will. & Mar. sess. 2. c. 8.* carts shall not stand, in *Southwark* or within the bills of mortality, loaden with hay or straw after two o'clock in the afternoon, from *Michaelmas* to *Lady-day*, or after three during the other part of the year, on pain of 5*s.* and trusses of old hay offered to sale between the last of *August* and first of *June* shall weigh fifty-six pound, and new hay sold between the first of *June* and last of *August* shall weigh sixty pound, on forfeiture of 18*d.* a truss.

By 8 *Will. 3. c. 17.* every cart load of hay standing to be sold in the *Haymarket*, shall pay 3*d.* and every cart load of straw, 1*d.* towards the paving the streets; and the same may be levied by distress,

distress, by warrant from a justice. But if the hay or straw is not sold it may stand there the next time without payment.

No forfeiture of 5 s. shall be incurred under the above act unless the toll gatherer rings a bell twice every market day at the end of such market, and one hour before. In default whereof the market for that time shall be toll free; *Ibid.*

Forfeitures shall be demanded the same day as incurred, and complaint shall be made to a justice of quorum, whereof the party is to have notice the next time he comes, or else he is not liable. The toll gatherer is to account for the monies at every *Easter* sessions. *Ibid.*

By 31 *Geo. 2. c. 40.* straw to be sold within the weekly bills, is to be made up into trusses, firmly bound, and to weigh 36 lb. of sound straw. Where straw is usually sold in trusses, whether within the said weekly bills, or thirty miles distance, and shall be wanting of that weight, or shall be in the inside of a worse quality than the outside imports, the offender forfeits, for all straw not sold or delivered in trusses, 20 s. and for every truss under weight, or of a mixt quality, 1 s.

Trusses of hay shall be made up in like manner of good and sound hay only, and of equal goodness throughout, and the sound hay to be allowed in weight only. *Ibid.*

Weight of the bands of a truss of hay, shall not exceed 5 lb. on penalty of forfeiting 1 s. and hay or straw binders, not conforming to the rules of this act, forfeit 3 d. per truss, the owner objecting within twenty-four hours. *Ibid.*

Salesman buying, after 29th *September*, hay or straw on his own account, to sell again, or selling after *September 29* in *London*, or within the weekly bills, hay or straw bought by him on his own account, forfeits 1 s. per truss. *Ibid.*

A register shall be kept in the haymarkets within *London*, and the weekly bills in *London*, by the proper hay weigher, and in other places by the clerk or toll gatherer; and the vender shall therein enter all hay or straw sold by him, with the particulars, paying 1 d. for such entry; and the same may be inspected by any one for an half-penny. The vender neglecting to enter, or making a false one, shall forfeit not more than 20 s. nor less than 10 s. and hay weigher or clerk neglecting his duty in the premises, shall forfeit the same sum. *Ibid.*

No register shall be made of hay or straw sold in a less quantity than four trusses in a day to one person; nor of any delivered on special contract; but such only shall be registered as are brought to market for sale, and which shall be there sold. *Ibid.*

Proper scales and weights, or engines for weighing hay and straw shall be provided by the hay weighers, and clerks of the markets, for the use of which there shall be paid 1 s. per load, and if less than a load,  $\frac{1}{2}$  per truss; and where any doubt shall arise about the due weight of such hay or straw as shall not have been weighed in the markets, the buyer may weigh the same in the presence of the seller; and if either be dissatisfied therewith, he may apply to the  
hay



hay weigher, or clerk of the market, who is to see the same weighed over again, and ascertain the weight; 2 s. to be paid him for his trouble by the complainant, to be re-paid if the hay or straw shall be of due weight by the buyer, if wanting of its weight by the seller; and hay weigher, not providing proper scales and weights, or otherwise neglecting his duty in the premises, forfeits, not exceeding 20 s. nor less than 10 s. but where there shall be a doubt of want of weight, the hay or straw may be weighed at the place of delivery; and the seller is not liable to a penalty either in respect of weight or quality, unless the hay or straw be weighed, either at or before the delivery, with the privy of the buyer, or complained of as to its quality, at the time and place of delivery, and the seller refuse to attend. *Ibid.*

Carts with hay or straw for sale shall quit the market, from *Lady-day* to *Michaelmas*, at four o'clock, and from *Michaelmas* to *Lady-day* at three o'clock in the afternoon, on penalty of 5 l. the hay weigher or clerk giving an hour's notice by ringing a bell; and, on default of such notice, no toll is to be paid for standing the next market day. *Ibid.*

Prosecutions must be commenced, before a magistrate, within three days after the offence. An appeal is allowed to sessions; and the penalties go half to the informer, and half to the poor. *Ibid.*

#### *Horners.*

By 4 *Ed.* 4. c. 8. and 7 *Jac.* 1. c. 14. no alien shall buy *Englisch* horns unwrought within 24 miles of *London*, on forfeiture of double value; and the mayor, and wardens of the horners company may search the same.

#### *Insurance.*

By 43 *Eliz.* c. 12. the lord chancellor may award commissions for determining causes on policies of assurances, to the judge of the admiralty, the recorder, two doctors of civil law, two barristers, and eight merchants; from whose determinations an appeal lies by bill to the lord chancellor, on depositing the money awarded; and the commissioners are not to act till they have taken an oath before the lord mayor to do justice.

And by 13 & 14 *Car.* 2. c. 23. three commissioners may act, but they are not to proceed against both person and goods, for the same debt.

#### *Juries.*

By 7 *Hen.* 7. c. 5. *riens deins le gard* shall be no challenge upon any issue to be tried in *London*.

By 11 *Hen.* 7. c. 21. no man shall be impannelled on any jury in *London*, unless he have in lands, goods or chattels to the value of forty marks.

By 4 Hen. 8. c. 3. the sheriffs of *London* may return pannels of jurors in suits depending triable in *London*, of such as are worth an hundred marks in goods.

By 7 Will. 3. c. 32. the inhabitants of *Westminster* are exempted from serving on juries for the *Middlesex* sessions.

By 3 Geo. 2. c. 25. jurors in *London* shall be householders within the city and have tenements or personal estate to the value of 100*l*.

By 29 Geo. 2. c. 19. persons summoned to serve on juries in *London* or any other town corporate, or franchise, not attending, shall forfeit not more than 40*s*. nor less than 20*s*. unless the court be satisfied with the cause of absence; such fine leviable by distress and sale.

### Leather.

By 5 & 6 Ed. 6. c. 15. no sadler, girdler, cordwainer, or other artificer who cuts leather in *London*, shall curry it at his house.

By 1 Mar. stat. 3. c. 8. the carriers of *London*, and the suburbs thereof shall use their own stuff.

By 1 Jac. 1. c. 22. every artificer who makes tanned leather into made wares may buy the same at *Leadenhall* in *London*, being duly searched.

Wares made and also tanned leather in or within three miles of *London* shall be searched, by the master and wardens of the mysteries of cordwainers, curriers, girdlers, and sadlers, who may seize and carry away all leather wares that be insufficient, they are to make their search four times a year, upon pain of forfeiting 40*l*. for every year's neglect, half to the king and half to the informer: but they are not to search any persons but such as use their occupations, and the coachmakers are to be surveyed by the sadlers company. *Ibid*.

The mayor and aldermen of *London* are yearly, under the like penalty, to appoint eight persons, out of either of the above companies, to search and seal all leather brought into *Leadenhall* market, or any other market within three miles of *London*. *Ibid*.

The mayor of *London*, within six days after the searchers have seized undue leather, shall appoint two cordwainers, two curriers, and two tanners, to determine whether the leather is serviceable; upon pain of 5*l*. *Ibid*.

The searchers and sealers of leather shall be changed yearly in *London*, and they shall not be eligible again, in case they continue in office two years, until the end of three years; upon pain of 10*l*. a month. *Ibid*.

Leather shall be brought to *Leadenhall* market, and there viewed and registered, upon pain of 6*s*. 8*d*. per hide, but this does not extend to leather bought in *Bartholemew* fair or *Southwark* market if duly searched, sealed, and registered. *Ibid*.

Selling leather in or near *London*, before searched and sealed, is a forfeiture thereof. *Ibid*.

Curriers

Curriers in *London* or within three miles thereof, not observing their duty in currying leather according to this act, and cordwainers, shoemakers, cobblers, and saddlers, buying or using in the making of their wares, such insufficient leather, or leather not sealed, searched, and registered, shall severally forfeit such leather, and such wares, or the value thereof. *Ibid.*

No leather wares shall be sold in *London* but in open shop, fair, or market. *Ibid.*

All persons in or near *London*, who cut or work leather into wares, shall be under search of the companies whose mystery they use. *Ibid.*

By 13 & 14 Car. 2. c. 7. see this act under the title *Manufactures, Leather, and Skins*. The cordwainers, saddlers, girdlers, and curriers companies in *London*, may search and seize leather or hides intended to be transported, and in other places the officers of customs, or chief magistrates.

*Leadenball* market shall be kept on a *Tuesday*. *Ibid.*

Artificers dealing in cutting of leather in *London*, or within three miles thereof, shall give notice of all leather by them bought, to one of the curriers company, that the same may be curried; on pain of 6s. 8d. *Ibid.*

Leather used in *London* by cordwainers, saddlers, girdlers or other leather cutters, shall be searched and allowed by the wardens of the curriers company, according to the last act, and opposing them is a penalty of 20*l.* and not being present at the search 10*l.* *Ibid.*

By 1 Will. & Mar. c. 33. all hides, skins, or tanned leather shaved or liquored, shall be adjudged ware within 1 Jac. 1. c. 22. and be subject to the view, search, and seizure of the said master and wardens and likewise to all the penalties in that act; but the master and wardens of the curriers company, are not empowered to view, search or seize any leather, hide or skin, unless curried in *London*, by some members of their own company, nor in any place, but an open market, or in the shops or warehouses of such curriers.

*Mayor.*

By 24 Geo. 2. c. 48. the presenting and swearing the mayors of *London* at *Westminster* shall be on the ninth of *November* yearly unless it fall on a *Sunday*, and then the day following.

By 25 Geo. 2. c. 30. the annual admission and swearing the mayor of *London* at the *Guildhall*, to be on the 8th of *November*.

*Malt.*

By 17 Ric. 2. c. 4. malt made in the counties of *Huntingdon*, *Cambridge*, *Northampton* and *Bedford*, and brought to victual *London*, shall be well sifted, so that the buyers may have eight bushels of clean malt for the quarter.



*Merchants.*

By 25 *Ed. 3. stat. 4. c. 2.* merchants, aliens, or others may buy and sell without disturbance in gross or by retail at their will, in *London*, or other cities or places.

By 7 *Hen. 4. c. 9.* all merchandizes may be sold in gross, in *London*, to all subjects, as well as to the citizens.

By 12 *Hen. 7. c. 6.* merchants may resort to the marts in *Flanders, Holland, Zealand*, and other places adjoining without any exactions of the fraternity of *Londoners*.

*Nuisance.*

By 12 *Ric. 2. c. 13.* none shall cause any annoyance in *London* or in other cities or towns by casting dung or filth in ditches, rivers or waters; and if they do they shall be punished at the discretion of the chancellor.

*Oil.*

By 3 *Hen. 8. c. 18.* the mayor of *London*, with the master and wardens of the tallow chandlers, may search and see that oils put to sale be not mixed or defective; and they may destroy defective oil, and imprison offenders. Chief magistrates in other cities and towns have like power.

*Orphans.*

By 5 & 6 *Will. & Mar. c. 10.* the lands, markets, fairs, and aqueducts belonging to the city of *London* (except such as belong to hospitals, and are liable to the repairs of *London* bridge) are chargeable for ever with 8000*l.* *per ann.* to be appropriated for a perpetual fund for the orphans, and other creditors of the city.

Towards such fund, the common council may assess 2000*l.* yearly upon the personal estates of inhabitants, and distrain for the same; and all profits on lighting the streets shall be applied to such uses. *Ibid.*

Every apprentice shall pay 2*s.* 6*d.* on his binding, and 5*s.* on his freedom into the hands of the warden of the company, 4*s.* per ton was granted on all wine imported at *London*, for the increase of the fund; and likewise a duty on coals of 4*d.* for metage and 6*d.* per chaldron, and 6*d.* per ton, which duty on coals is by 7 *Geo. 3. c. 37.* continued for forty-six years, from the 29th of September 1785, for completing *Blackfriars* bridge, redeeming the tolls of *London* bridge, rebuilding *Newgate*, repairing the *Royal Exchange*, and embanking part of the North side of the river *Thames*; and then for paving the streets of *Westminster* and *Southwark*. These duties appear to be merged in the new rates by 27 *Geo. 3. c. 13.*

The fund shall be applied for payment of debts due to orphans and creditors, by interest after the rate of 4*l.* per cent. for ever; for

for which the orphans and creditors shall acknowledge satisfaction.  
§ & 6 Will. 3 Mar. c. 10.

Books of receipts and disbursements shall be kept by the chamberlain, which are to be audited yearly, allowing the auditors 20s. for every 1000*l.* therein; and the chamberlain or others misapplying the money, shall forfeit treble the sum. *Ibid.*

The chamberlain and common serjeant shall give a note of what is owing to orphans and creditors, which debts are transferrable. *Ibid.*

No persons are compellable to pay orphans money into the chamber. Corporation lands are liable if the city misapply the money; all fines shall be levied to the above uses, and are not dischargeable by pardon. *Ibid.*

Orphans, hereafter, may have the benefit of the provision in this act, on paying to the chamberlain any sum of money, who is therewith to pay off any other orphan so much, and to admit the orphan who has paid in the monies, to the benefit of such share. *Ibid.*

This act is not to extend to the New River, *Shadwell*, or *London* bridge waterworks.

### Painters.

By 1 Jac. 1. c. 20. no plaisterer shall use the art of a painter stainer in *London*, unless he has served seven years to a painter as an apprentice, on pain of 5*l.*

No painter shall take above 16*d.* by the day for laying any flat colour. *Ibid.*

### Paving, lighting, and cleansing.

By 2 Geo. 3. c. 21. for paving, lighting, and cleansing within the city and liberty of *Westminster*, the parishes of *St. Giles* in the fields, *St. George, Bloomsbury*, *St. Andrew, Holborn*, in the county of *Middlesex*, the liberties of the *Rolls* and *Savoy*, and that part of the duchy of *Lancaster* which lies in the county of *Middlesex*, certain commissioners were appointed, to have 300*l.* per ann. or 10,000*l.* qualification, and acting without, 100*l.* penalty; they are to appoint clerks, treasurers, receivers, surveyors, and other officers, who receiving any fees but their salaries, or being concerned in any contract, are disqualified, and forfeit 100*l.*

Three commissioners may order the squares, streets, or lanes, being thoroughfares, to be paved, altered, cleansed, and lighted, and five may contract for so doing, giving fourteen days notice for proposals. *Ibid.*

Contractors for cleansing the streets, may, by leave of two justices, lodge the dirt, for the accommodation of country carts, in vacant places. *Ibid.*

The property of all materials vested in the commissioners, and persons wilfully damaging the same, forfeit, for the first offence, not more than 40*s.* nor less than 10*s.* and for every other offence, not

more than 3*l.* nor less than 20*s.* or on non-payment, imprisonment for not more than two months, nor less than ten days. *Ibid.*

Pavements taken up by the water companies, or the commissioners of sewers, are to be relaid at their expence. *Ibid.*

The streets are not to be altered without the consent of five commissioners, on pain of 5*l.* *Ibid.*

Laying ashes or other annoyances in the streets before the scavenger comes to carry away the same, is a penalty of 5*s.* for the first offence, 10*s.* for the second, and 20*s.* for every other. *Ibid.*

Obstruction, nuisance, or incroachment by carriages, timber or other things, may be removed by the commissioners order at the offender's expence, besides a penalty on him of 40*s.* *Ibid.*

A rate; not exceeding 1*s.* 6*d.* in the pound, shall be made on all houses; by five or more commissioners, half yearly, or oftener, for defraying the expence of paving, lighting, and cleansing; to be ascertained by the poor rates, for which purpose the commissioners may inspect such books. *Ibid.*

Houses let in tenements are chargeable, and the rates to be paid by the owners, and levied on the occupiers. *Ibid.*

Tenants are to pay the rates, and deduct a proportionable part out of their rent. *Ibid.*

Public buildings and vacant ground, are chargeable; and the rates may be levied by distress and sale, if not paid in ten days. *Ibid.*

By 3 Geo. 3. c. 23. in *Westminster* and the aforesaid places, all signs and annoyances may be removed, and the same shall be placed in the front of the houses only, on pain of 5*l.*

The commissioners may order the streets to be watered, and the names of squares and streets to be affixed on corner houses, defacing which is a penalty of 40*s.* *Ibid.*

By 4 Geo. 3. c. 39. in the like places running, drawing, or driving any wheel, sledge, wheel-barrow or other carriage, on any of the foot pavements, is for the first offence 10*s.* for the second 20*s.* and for every other 40*s.*

Any quantity of coals, not exceeding one chaldron, with the ingrain, may be carried at one load, without being liable to any penalty. *Ibid.*

[*The foregoing acts were enlarged by 5 Geo. 3. c. 50. 6 Geo. 3. c. 54. and 11 Geo. 3. c. 22.*]

By 11 Geo. 3. c. 29. the corporation of *London* may appoint commissioners of sewers and pavements, whereof the recorder and common serjeant shall be two, and not less than seven to act, who may employ non-freemen, and give other directions; and the property of sewers and pavements vested in the city.

The rates are not to exceed 1*s.* 6*d.* in the pound on inhabitants, and landlords may compound for rents under 10*l.* *per ann.* but not to be under half the rate; and lessees of markets to pay rates, or may compound, and so may the owners of large warehouses or workshops; empty houses to pay half tax, and wharfs two thirds of the poor's rates; with several directions to prevent nuisances. *Ibid.*



Churches and public buildings (except *St. Paul's*) to pay 4*d.* per square yard, and void spaces, and dead walls, 6*d.* per yard run, and the pavement surrounding *St. Paul's* 2240 square yards, to pay 1*s.* 3*d.* per yard *per ann.* and tenants of hospitals to pay rates, *Ibid.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Inner Temple to pay <i>per ann.</i>	2	2	0
Middle Temple — —	6	6	0
Serjeant's Inn, Chancery-lane	10	0	0
Staple Inn — —	14	0	0
Furnival's Inn — —	20	0	0
Bernard's Inn — —	6	0	0
Clifford's Inn — —	2	2	0

Rates for repairing sewers 4*d.* per pound, to be paid by the occupier and deducted out of the rents; freemen not paying rates, not to vote at elections, and the money to be paid into the chamber of London. *Ibid.*

Night carts to work only between eleven at night and five in the morning. *Ibid.*

The commissioners may borrow on annuities tax free, and assignable, not more than 40,000*l.* at 8 *per cent.* or if the life be above 60, at 10 *per cent.* and on death, may sell other annuities in lieu thereof, so that the whole purchase money doth not exceed 175,000*l.* at a time. *Ibid.*

Capital felony to forge certificates relating hereto, and this act to extend to the parts of *Holborn*, the *Minories*, and *Aldersgate-street*, within the Bars, (supposing them to be out of the liberties of the city) and the courts and alleys communicating therewith, and the inhabitants are to pay the rates; but not to extend to the liberty of *St. Martin le Grand*, belonging to the dean and chapter of *Westminster*. *Ibid.*

The commissioners of sewers to have power to act out of the city, and may take for paving the streets the same tolls, (*see Toll*) as by 8 *Geo. 3. c. 21.* (*which is hereby repealed*) at the same gates, or at others erected by them near thereto, and may lease or compound the tolls, but none to pay more than once a day. *Ibid.*

### Pharmacy and Surgery.

By 3 *Hen. 8. c. 11.* no person within the city of London, or seven miles of the same, shall exercise as a physician or surgeon, except examined and approved, on forfeiture of 5*l.* a month.

A physician or surgeon out of the precinct of London, seven miles, shall be approved by the bishop of the diocese, on like pain; but the rights of the universities are saved. *Ibid.*

By 5 *Hen. 8. c. 6.* the surgeons of London shall be exempt from bearing armour, parish offices, and inquests.

By 14 & 15 *Hen. 8. c. 5.* the king's charter for incorporating the college of physicians of London is confirmed; they are to choose a president, and have perpetual succession, a common seal, and ability to purchase lands, and make ordinances. Eight of the chiefs of

the college shall be called Elects, who from amongst themselves are to choose a president yearly.

Physicians through *England*, shall be examined by the president of the college, and three of the elects; graduates of the universities excepted. *Ibid.*

By 32 *Hen. 8. c. 40.* the president, commons, and fellows of physicians in *London*, are exempted from ward and parish offices.

Four physicians shall be chosen by the college to search apothecaries wares, and, in company with the warden of the mystery of apothecaries, they may destroy defective wares. Apothecaries refusing to be searched, forfeit 5*l.* and physicians to act 40*s.* *Ibid.*

Any of the physicians in *London* may practise surgery. *Ibid.*

By 32 *Hen. 8. c. 42.* the barbers and surgeons of *London* were united and incorporated, and exempted from bearing arms, or serving on inquests, or offices.

The masters and governors of the surgeons of *London* may take, yearly, four condemned felons for anatomies. *Ibid.*

Barbers in and within one mile of *London*, shall not use surgery or let blood, drawing of teeth except; and surgeons shall not be barbers. Surgeons shall have a sign at their doors. *Ibid.*

No one shall be a barber in *London* unless free of the company. *Ibid.*

Barbers and surgeons shall pay scot and lot; and any person may retain a surgeon or a barber in his house as his servant. *Ibid.*

By 34 & 35 *Hen. 8. c. 8.* any subject of the king having knowledge of the nature of herbs, may minister to any outward sore, wound, or disease.

By 1 *Mar. sess. 2. c. 9.* the president of the college of physicians may commit offenders to any prison within *London*, except the tower.

By 6 *Will. 3. c. 4.* apothecaries free of the company in *London*, practising there, or within seven miles thereof, are exempted from the offices of constable, scavenger, or overseer, or any other parish, ward, or leet offices, and from serving on juries, producing a testimonial of their freedom.

Apothecaries in other parts brought up in such art, or having served an apprenticeship of seven years, shall also be exempted. *Ibid.*

By 18 *Geo. 2. c. 15.* the union of surgeons and barbers of *London*, was dissolved, and the surgeons of *London* were made a separate corporation, with power to enjoy the same privileges as by former acts or grants.

Candidates to serve as surgeons in the army and navy, shall be examined by the surgeons company. *Ibid.*

By 25 *Geo. 2. c. 37.* the bodies of murderers, convicted and executed in *London* or *Middlesex*, shall be delivered to Surgeons Hall; and in any other county to such surgeon as the judge shall direct.

The 14 *Geo. 3. c. 49.* regulates the keeping of madhouses, and is noticed under that title.

Poor.

By 13 & 14 Car. 2. c. 12. there shall be one or more corporations or workhouses in *London*, *Westminster*, and the bills of mortality, the lord mayor shall be president, with fifty-two assistants, chosen by the common council, who are to choose subordinate officers; and in *Westminster* the lord chancellor is to appoint the president and assistants, and approve of the officers.

The president and governors, or two of them, may apprehend beggars and vagrants, and cause them to be kept and set to work in the said workhouses. *Ibid.*

If they want money for the above purposes, the common council in *London*, and the burgesses and justices in *Westminster*, and within the bills, may tax the inhabitants, and levy the same by distress. *Ibid.*

The president and governors may make bye laws, and all sheriffs and officers shall assist the corporations. *Ibid.*

By 22 & 23 Car. 2. c. 18. officers of the above corporations shall account quarterly, and no assessment shall be made on any of the parishes after Sept. 29, 1675. But the powers in *London* are not hereby vacated.

By 2 Geo. 3. c. 22. and 7 Geo. 3. c. 39. a regular, uniform, and annual register of all parish poor infants, shall be kept within the bills of mortality, according to the forms in these acts.

By 7 Geo. 3. c. 39. in the several parishes within the bills of mortality, children born in, or received into, any workhouse or parish-house there, are to be nursed and taken care of as follows, viz. those under six years of age are to be sent into the country three miles off; those under two years, not suckled by the mother, not less than five miles off; and those above two and under six, not less than three miles off.

Weekly rates to be paid for their nursing and maintaining, till apprenticed, or returned to the workhouse, viz. until six years old 2s. 6d. a week, afterwards 2s. and nurses may, for their care, have an annual reward of 10s. cloathing to be furnished, and all other incidental expences defrayed by the parish, and separate accounts to be kept thereof. *Ibid.*

Five guardians of the parish poor children to be chosen out of each parish. Where any shall refuse to act, or shall resign, or die, a further choice to be made. *Ibid.*

Guardians to remain in office three years. *Ibid.*

Churchwardens and overseers disqualified from being elected guardians, who are to visit the children, make enquiries, and report evils to the churchwardens, who are to redress the same, or, on their default, the guardians may. *Ibid.*

A meeting of the guardians to be summoned every six weeks, two to make a quorum, with power, singly or jointly to call in the churchwardens or overseers. *Ibid.*

Parish poor children, under six years of age, may be sent to the Foundling Hospital, upon such terms as shall be agreed on; the



charge to be defrayed out of the poor rates; and if not duly paid, any justice may summon the overseers, and compel them to pay. *Ibid.*

The death, discharge, or apprenticeship, of any child, to be certified to the vestry clerk of the parish. *Ibid.*

Hospital account to be kept with each parish distinct. *Ibid.*

Parish children and foundlings to be apprenticed for not more than seven years, or till 21 years of age. Apprentices-fee not to be less than 4*l.* 2*s.* and 40*s.* to be paid in seven weeks, and the remainder in three years, after the indentures are executed. *Ibid.*

An annual list to be made out by each parish of the children apprenticed, and delivered to the company of parish clerks; abstracts thereof to be printed, and delivered to each parish, commencing Jan. 1. and ending Dec. 31. *Ibid.*

General expences, not otherwise provided for, to be paid out of the poor's rates, and parish officers or others neglecting their duty, forfeit 5*l.* *Ibid.*

#### *Post-office.*

By 4 *Geo.* 2. c. 33. penny-post-men carrying letters out of London, Westminster, or Southwark, may demand an extra penny at delivery.

#### *Privileged places.*

By 8 & 9 *Will.* 3. c. 27. the sheriffs of London and Middlesex, and the bailiff of Southwark, shall take the *posse comitatus*, and arrest persons in any pretended privileged places, in London, Middlesex, or the Borough, on pain of 100*l.* and opposing officers in executing process there; rescuing, or concealing rescuers, is by 9 *Geo.* 1. c. 28. and 11 *Geo.* 1. c. 22. made felony and transportation for seven years, and returning within that time is felony without clergy.

Justices of peace, on affidavit of a person's residing in the Mint, or other privileged place, and owing a debt of above 50*l.* may issue their warrants to the sheriff, to raise the *posse comitatus*, to execute process, and such sheriff shall so do, on pain of 200*l.* 9 *Geo.* 1. c. 28. and 11 *Geo.* 1. c. 22.

Persons apprehending offenders under this act, shall have a reward of 40*l.* from the sheriff of Surrey, and if killed in so doing, the executor or administrator is to have the same. *Ibid.*

#### *Recoveries.*

By 6 *Ed.* 1. c. 11. the mayor and bailiffs of London, on challenge by tarmor before judgement, may enquire if recovery had against him in reversion, was by collusion or not, and if found that it was, the tarmor shall enjoy his term.

If a man impleaded in London vouches a foreigner to warranty, execution shall be awarded in value on the warranty. *Ibid.* c. 12. and 9 *Ed.* 1.

*Recusants.*

## Recusants.

By 3 *Jac.* 1. c. 5. recusants shall depart from *London* and ten miles thereof, within ten days after conviction, on pain of 100*l.*

## Rivers.

By 4 *Hen.* 7. c. 15. the lord mayor of *London* shall have like conservation in creeks and breaches, ebbing and flowing out of the river *Thames*, as touching unlawful engines and annoyances.

By 27 *Hen.* 8. c. 18. annoying the *Thames* or digging to make shelves or casting rubbish therein, or undermining the banks, is a forfeiture of 5*l.*

Persons taking, for ballast, any gravel or sand, but off the shelves between *Greenhithe* and *Richmond*, shall be imprisoned and forfeit 5*l.* but any one may take ballast from such shelves. *Ibid.*

By 13 *Eliz.* c. 18. the city of *London*, by a new cut, were empowered to make the river *Lee* navigable from *Ware*.

## Robbery.

By 6 *Geo.* 1. c. 23. the streets of the cities of *London*, *Westminster*, and other places, shall be deemed highways, to intitle persons apprehending and convicting robbers, to receive the reward.

## Savoy.

By 12 *Geo.* 3. c. 42. the high *German* church and the low *German* church, and the churchyards and burying grounds thereto belonging, and the buildings used as barracks, and two houses in the *Friary*, used by the officers, shall be under the survey of the exchequer; and the rest of the precinct of the *Savoy*, under the duchy of *Lancaster*.

## Scavage.

By 19 *Hen.* 7. c. 8. disturbing any merchant, by taking scavage, shall forfeit 20*l.* saving to the city of *London* their rights hereto, to be determined by the king and council.

## Sewers.

By 3 *Jac.* 1. c. 14. ditches, sewers, streams, and watercourses, falling into the *Thames*, within two miles of *London*, shall be subject to the commission of sewers.

## Silk.

By 13 & 14 *Car.* 2. c. 15. every person using the trade of silk throwing, in *London* and *Westminster*, shall enter himself of the company of silk throwers, and be subject to their laws, orders, and regulations.

Freemen may employ natives to turn the mill, tie threads, and double or wind silk as before. *Ibid.*

By 20 Car. 2. c. 6. bye-laws of the commonalty of silk throwers, restraining the number of mills, spindles, or other utensils to be employed, or to confine any freeman of the company to take less than three apprentices at a time, are declared void.

By 13 Geo. 3. c. 68. the wages of silk manufacturers shall be settled in *London* by the lord mayor, recorder, and aldermen; in *Middlesex*, by the justices; and in *Westminster*, and the Tower hamlets, by the general quarter sessions; and their orders shall be published in two news papers three times, at the expence of the persons applying, and giving or taking more or less wages than allowed thereby, to forfeit, masters, 50*l.* and journeymen 40*s.*

Justices may summon witnesses, and commit them for not attending; and masters employing men out of the limits to elude the act, to forfeit 50*l.* but not to extend to the wages of foremen; and no silk weaver to have more than two apprentices at one time, on penalty of 20*l.* *Ibid.*

#### *Southwark.*

By 28 Geo. 2. c. 9. no market shall be held, nor stalls erected, nor coaches ply, or stand, in the high street of *Southwark*.

By 28 Geo. 2. c. 23. and 30 Geo. 2. c. 31. the inhabitants of *Saint Saviour, Southwark*, may hold a market, not interfering with the high street, in a convenient place called the Triangle.

The 6 Geo. 3. c. 24. for paving the streets in *Southwark*, grants the usual Sunday tolls (*see Tolls*) at *Symond's Corner, Blackman-street, Newington Butts*, the new road, end of *Kent-street, Saint George's Church, Star Corner, Dock Head*, and *Folly Bridge*, amended, as to sewers and public buildings, and opening new streets, 11 Geo. 3. c. 7. 14 Geo. 3. c. 75.

#### *Spices.*

By 6 Ann. c. 16. the lord mayor, aldermen, and common council, may appoint a garbler to garble spices, drugs, and wares, garbleable within *London*, who is to be recompenced as they appoint.

#### *Still Yard.*

By 19 Hen. 7. c. 23. all statutes made in derogation of the merchants in the still yard, were repealed; but this was not to prejudice the liberties of *London*.

#### *Streets.*

By 32 Geo. 2. c. 16. laying rubbish, ashes, or soil, in any of the streets, or common ways in *London, Westminster*, or the suburbs thereof, or sweeping or throwing the same into the kennels, is a penalty of 10*s.* but none are liable to forfeit for sweeping before their houses immediately after snow, thaw, or rain.

Lessees,



Lessees, and occupiers of laystalls, shall inspect the streets and common passages, and give information of offenders, and on performing their duty therein, may ship annually as ballast, from any laystalls in *London*, 2000 tons of soil. *Ibid.*

*Taylors.*

By 7 Geo. 1. stat. 1. c. 13. all contracts between journeymen taylors in *London* and *Westminster*, or within five miles thereof, for advancing their wages, or lessening their hours of work, are declared illegal and void; making such agreement to be sent to the house of correction for two months.

By 8 Geo. 3. c. 17. journeymen taylors shall work from six in the morning, till seven at night, at 2 s. 7½ d. a day, except during one month, on a general mourning, and then at 5 s. 1½ d. a day.

Masters giving, or journeymen taking more wages than hereby allowed, shall be sent to the house of correction, for not more than two months, nor less than fourteen days; and justices may call witnesses before them, on suspicion that the above regulation is broke through. *Ibid.*

The general sessions in *London* may alter the wages, and hours, and make regulations in future, according to circumstances. *Ibid.*

This act is not to extend to taylors foremen, or men working over hours, at 6 d. per hour in general mournings, and 3 d. an hour at other times. *Ibid.*

Masters employing men out of the limits, to evade the act, shall forfeit 500 l. and persons aggrieved may appeal to the quarter sessions. *Ibid.*

Journeymen taylors, refusing to work at the wages allowed, or departing before the work is finished, may be sent to the house of correction for two months; and their wages may be recovered before a justice. 7 Geo. 1.

*Thames.*

By 2 Geo. 3. c. 28. persons using, hiring, or navigating bumboats, on the *Thames*, unless entered at the office of the Trinity House, unlawfully receiving goods, stores, or the like, from vessels in the river, may be convicted before a justice of peace of a misdemeanor, and forfeit the boat.

The 11 Geo. 3. c. 34. embanked the *Thames* opposite *Durham Yard*, *Salisbury-street*, *Cecil street*, and *Beaufort Buildings*, and the city of *London*, and dean and chapter of *Westminster*, were at liberty to try their right.

For improving and completing the navigation of the *Thames*, from *London* to *Cricklade*, in *Wiltshire*, c. 45. repealed as to the commissioners and their authority, 14 Geo. 3. c. 91.

By 14 Geo. 3. c. 91. no towing paths shall be through gardens, orchards, yards, parks, paddocks, inclosed lawns, or planted avenues, without the consent of the owner; and the committee may fix the price of carriage, and hire of horses; and taking more, penalty 20 l. and no vessel shall moor in *Taplow* mill stream.

By

By 15 Geo. 3. c. 11. on the river *Thames* vessels shall draw three feet of water from *May 1*, to *November 1*, and three feet eight inches the rest of the year; and to have metal marks instead of white lines; and when the water is above the high mark, the gates to be opened; and no lock owner to be a commissioner.

By 17 Geo. 3. c. 18. the city may purchase the tolls for navigating the *Thames* westward from *London* bridge in their liberty, and in lieu thereof may take per ton

		<i>l.</i>	<i>s.</i>	<i>d.</i>
To strand on the green or Brentford	—	0	0	0 $\frac{1}{2}$
To Isleworth or Richmond	—	0	0	1
To Twickenham or Teddington	—	0	0	1 $\frac{1}{2}$
To Kingston or Hampton Wick	—	0	0	2
To Ditton, Hampton Court, Moulsey, or Hampton town	—	0	0	2 $\frac{1}{2}$
To Sunbury, Walton, Hawford, Shepperton, or Wey bridge	—	0	0	3
To Chertsey or Laleham	—	0	0	3 $\frac{1}{2}$
And to Staines and above	—	0	0	4

Nothing for vessels under three tons, or pleasure boats, and may borrow 15,000 *l.* on the tolls, on annuities for lives of forty-five, at 8 *l.* per cent. and of sixty at 10 *l.* per cent. *Ibid.*

### Tithes.

By 37 Hen. 8. c. 12. tithes shall be paid in *London* according to the decree made by the archbishop, at so much in the pound, according to the rent of the house, viz. after the rate of 2 *s.* 9 *d.* for every 20 *s.* yearly rent; and the citizens and inhabitants shall pay their tithes quarterly, and others of their family 2 *d.* for their four offering days yearly.

Where less than 2 *s.* 9 *d.* in the 20 *s.* rent hath been accustomed to be paid for tithes, in such places, they shall pay only after the rate accustomed. *Ibid.*

By 22 & 23 Car. 2. c. 15. the tithes of the several parishes in *London*, are ascertained at certain yearly sums, to be paid quarterly, to be levied by warrant of the lord mayor, the lord chancellor, or two barons of the exchequer; and no court to hold plea of the same; but the warden and minor canons of *St. Paul's*, parson and proprietors of *St. Gregory*, may enjoy all tithes as formerly.

### Toll.

By 8 Geo. 3. c. 21. for paving the streets in *London*, Sunday tolls shall be taken at the following turnpikes, viz. *Mile End*, *Berthall Green*, *Hackney*, *Kingland*, *Ball's Pond*, *Holbourn*, *St. John's Street*, *Ceswell Street*, and the *City Road*, all in *Middlesex*, *l.* *s.* *d.*

To pay for a coach and six horses	—	0	0	10
Ditto with four	—	0	0	8
With three or two	—	0	0	6
With one	—	0	0	3
Horse not drawing	—	0	0	1

By

By 11 Geo. 3. c. 26. the prescriptive tolls of London bridge were continued to March 25, 1782, and the city to lay out 30,000*l.* in stocks, and, till reimbursed, to apply the dividends as by 7 Geo. 3. c. 37. (Coals), and before March 25, 1782, to purchase the remainder of the term in the lease of the tolls of the bridge.

By 5 Geo. 3. c. 13, and 26 Geo. 3. c. 102. for paying the streets of the city and liberty of Westminster, and parts adjacent, a street toll on Sundays, as before, shall be paid at the following turnpike gates, viz. that nearest Westminster-bridge, in Surry, nearest St. James's Park, at Pimlico, at Kensington, nearest the entrance into Hyde Park, that at Hyde Park Corner, the several gates at Tyburn, those near St. Mary-le-Bone, at Portland-street, at the Green Man, on the road from Paddington to Islington, on the said road Eastward of Tottenham Court, at Tottenham Court, on the Northern road, and that nearest the end of Grays-Inn-lane.

Victuals.

By 31 Ed. 3. stat. 1. c. 10. the mayor and aldermen of London, may reform the defaults of victuallers there, and all men may bring and sell victuals freely. Also 7 Rich. 2. c. 11.

By 6 Rich. 2. c. 10. alien friends may import victuals into London and elsewhere, and sell in gross or by retail.

By 1 Hen. 4. c. 17. the last act shall be duly executed, notwithstanding the patent to the fishmongers company.

Voucher.

By 6 Ed. 1. c. 12. one impleaded in London, who vouches a foreigner to warranty, shall have execution from the justices.

Wager of Law.

By 38 Ed. 3. stat. 1. c. 5. any man may wage his law against a Londoner's papers.

Watermen.

By 2 & 3 Phil. & Mar. c. 16. eight watermen shall be chosen by the court of aldermen of London, for overseers to keep good order amongst the rest. Two watermen shall not ply in one boat; but where one of them hath exercised the profession two years, and been allowed by the overseers under the known seal, on pain of being sent to the comptroller for one month, and a single man, not retained as an apprentice, or servant one year at least, shall not use the profession, on the like pain.

The mayor, aldermen, and justices, may, on complaint of the rulers, hear and determine offences against this act. Ibid.

Wherries shall be twelve foot and an half long, and four foot and an half broad in the midship, or be liable to forfeiture. Ibid.



Watermen absconding in the time of pressing, shall be imprisoned when they return, and watermens names shall be registered by the overseers. *Ibid.*

Western bargemen shall retain no single person, but by the year, on pain of 40 s. *Ibid.*

The fares of watermen shall be assessed by the court of aldermen, and approved by two of the privy council. And overseers being negligent, or refusing the office, shall forfeit 5 l. *Ibid.*

By 8 *Eliz. c. 13.* mariners licensed by the Trinity house, may ply as watermen on the *Thames*.

By 1 *Jac. 1. c. 16.* watermen shall not retain any servant as hath not been apprentice to a waterman five years; and no apprentice under eighteen years of age, or for less than seven years, on pain of 10 l. but watermens sons at the age of sixteen, may carry passengers from place to place.

The rulers of the company shall every 1st *September* and 1st *March* read their orders in the hall, on pain of 6 l. 13 s. 4 d. *Ibid.*

By 11 & 12 *Will. 3. c. 13.* lightermen on the *Thames*, between *Gravesend* and *Windfor*, shall be of the society of watermen and wherry-men, who are hereby made a company.

The lord mayor and court of aldermen shall elect eight of the best watermen, and three of the best lightermen yearly, to be overseers and rulers. The watermen shall chuse assistants, not exceeding sixty, nor less than forty, and the lightermen nine at the principal stairs, for preserving good government. Auditors of accounts are to be appointed; and the rulers, auditors, and assistants, may make rules to be observed, under penalties. *Ibid.*

The lord mayor and aldermen, and justices of peace, on complaint of the overseers, may hear and determine offences. *Ibid.*

The rulers may appoint forty watermen to work on *Sundays* between *Vauxhall* and *Limehouse*, for carrying passengers cross the river, at 1 d. each, to be paid to the rulers, to the use of decayed watermen, their widows and children, allowing the watermen for their labour. *Ibid.*

By 4 & 5 *Ann. c. 13.* the 1 *Jac. 1. c. 16.* restraining the taking apprentices under eighteen and sixteen years of age, is repealed; and the lord mayor and aldermen may review and amend the by-laws of the watermens company.

By 2 *Geo. 2. c. 26.* no waterman on the river *Thames*, shall take an apprentice, unless he be an housekeeper, or have some known place of abode, to be registered with the clerk of the company, on pain of 10 l. and the apprentices may be turned over to other masters, on neglect herein.

An apprentice shall not have the sole care of a boat, till sixteen years of age, if a waterman's son, and if not, not till seventeen years of age, on pain of 10 s. from the master. *Ibid.*

None but freemen shall work any boat, except fishermen and ballastmen, persons navigating Western barges, mill boats, chalk hoys, wood lighters, dung boats, and gardeners boats, on pain of 10 l. *Ibid.*

Owners of keys betwixt *Hermitage Bridge* and *London Bridge*, may use their lighters as heretofore. *Ibid.*

And by 4 *Geo. 2. c. 24.* ferry boats, flat bottomed boats, and barges, navigated from *Kingston* or *Windsor*, are exempted from the penalties.

By 10 *Geo. 2. c. 31.* no apprentice shall be taken under fourteen years of age, nor above twenty, for seven years at least, by indentures enrolled, and not more than two apprentices at one time, the first to have served four years, when the second is taken. The penalty hereon is 10*l.*

Nor shall the master or mistress take an apprentice, unless they have a known place of habitation, and lodge the apprentice there, on pain of 10*l.* *Ibid.*

Owners of twelve barges or boats may take two apprentices, and of twenty, four. *Ibid.*

No person working any tilt boat, or row barge, shall take in above thirty-seven passengers, and three by the way; nor in any other boat above eight passengers, and two by the way, on forfeiture of 5*l.* for the first offence, and 10*l.* for the second; and if any person be drowned, where a greater number is taken in, the waterman shall be guilty of felony, and may be transported. *Ibid.*

Tilt boats used between *London-bridge* and *Gravesend*, shall be fifteen tons, and not under, and other boats three tons, on pain of 10*l.* *Ibid.*

No *Gravesend* boats with close decks, or bails nailed down, shall be navigated, tilt boats excepted, on pain of 10*l.* *Ibid.*

Watermen losing their tide from *Billingsgate* to *Gravesend* or back, the passengers shall be discharged from paying. *Ibid.*

The rulers of the watermens company shall appoint two officers to attend at *Billingsgate* at high water, and at *Gravesend* at the first flood, who shall ring the tide bell; and if the watermen do not put off, they shall forfeit 5*l.* *Ibid.*

The watermens company not setting up such bells, or appointing persons to ring them, shall forfeit 50*l.* and the persons appointed neglecting to ring them, forfeit 40*s.* *Ibid.*

### *Weights and Measures.*

By 11 *Hen. 6. c. 8.* the mayor of *London* shall have power to execute the statutes touching weights and measures, and shall be sworn so to do.

The 1 *Ann. stat. 1. c. 15.* does not extend to sealed measures allowed by the fruiterers company in *London*. See title *Weights and Measures post.*

By 31 *Geo. 2. c. 17.* weights and measures within the city and liberty of *Westminster*, shall be fized, sealed, and marked, otherwise may be destroyed as unlawful, and the owners amerced not exceeding 40*s.*

*Westminster.*

By 7 & 8 Will. 3. c. 32. inhabitants of *Westminster* are exempted from serving on juries at the sessions for the peace for the county of *Middlesex*.

By 23 Geo. 2. c. 14. commissioners were to appoint a proper place for a market at *Westminster* in lieu of the ancient market place.

By 29 Geo. 2. c. 25. eighty constables shall be appointed yearly for the city and liberty of *Westminster* out of the several parishes.

Leet jury to present fit persons out of each parish to serve as constables. Leet jury to continue in office one year. *Ibid.*

Fine of 40s. on persons summoned refusing to execute the office of jurymen. *Ibid.*

Persons refusing to attend, or serve as constables, to forfeit 8l. *Ibid.*

None may serve as high constable for more than three years together; refusing to serve the office, forfeits 20l. *Ibid.*

A jury shall be summoned twice a year, to enquire of and remove annoyances. *Ibid.* and 31 Geo. 2. c. 17.

By 31 Geo. 2. c. 17. repairs of pavements in *Westminster*, and removal of annoyances belonging to churches and publick buildings shall be done by the churchwardens; if belonging to markets, by the proprietors.

*Wine.*

By 6 Ed. 1. c. 15. the mayor and bailiffs of *London* shall enquire of wines sold against the assise.

By 26 Geo. 2. c. 12. no wine exceeding ten gallons, imported into the outports, shall be brought to *London*, or within twenty miles of the *Royal Exchange*, without paying the *London* duty and certificate. See titles *Importation*; &c. *Excise*; &c. *Wine*.

*Wood.*

By 23 Eliz. c. 5. no wood or underwood, growing within twenty-two miles of *London*, shall be employed for fuel for iron works, on pain of 40s. a load: and no new iron works shall be built within twenty-two miles of *London*, fourteen of the *Thames*, nor within four miles of the *Dorset*, or *Romsey*, *Winchelsea*, *Hastings*, or *Rye*, on pain of 100l.

## Longitude.

The 12 Ann: Sess. 2. c. 85. and several subsequent acts appointed commissioners of longitude to determine rewards to be given to persons making useful discoveries.

But 14 Geo. 3. c. 66. repealed all such acts (except as to the appointment of commissioners) and directed certain rewards to be given to discoverers of the longitude.



The first discoverer of a method to find the longitude, if by a time-keeper not yet discovered, shall receive 5000*l.* if it determines the same to one degree of a circle, 7,500*l.* if it determines to two thirds of that distance, and 10,000*l.* if it determines the same to one half of a degree. *Ibid.*

And if by means of improved solar and lunar tables, the discoverer shall have 5000*l.* if they shew the exact distance of the moon from the sun and stars, within fifteen seconds of a degree, answering to about seven minutes of longitude, allowing half a degree for errors of observation. *Ibid.*

The commissioners are to receive proposals for discovering the longitude, and certify the same, with the names of the authors, to the commissioners of the navy. *Ibid.*

Persons making useful discoveries shall receive less rewards, agreeable to the judgment of the commissioners, so as the sums do not exceed 5000*l.* and no person is to receive more for discoveries than the greatest sum hereby provided. *Ibid.*

The commissioners may administer oaths for carrying the act into execution.

By 17 *Geo. 3. c. 48.* commissioners of the navy are to pay rewards as directed by the commissioners of longitude for discoveries, not more than 5000*l.*

By 20 *Geo. 3. c. 61.* and 21 *Geo. 3. c. 52.* when the commissioners of longitude are satisfied that the proposals merit trial as useful to navigation, though not intitled to the great rewards, may order not more than 5000*l.* to the author.

# Lotteries.

By 10 & 11 *Will. 3. c. 7.* lotteries are declared public nuisances, and patents for the same void and against law.

Any person keeping a lottery to draw or throw at by lots, dice, cards, or otherwise, shall forfeit 500*l.* and any person who shall play, throw, or draw at such lottery, shall forfeit 20*l.* *Ibid.*

By 9 *Ann. c. 6.* magistrates and peace officers are to suppress such lotteries, and any person publishing schemes to draw, shall forfeit 100*l.*

By 10 *Ann. c. 26.* persons setting up offices for insurances on marriages, births, and christenings, under the denomination of sale of goods, for the improvement of small sums, shall forfeit 500*l.* and printers advertising the same shall forfeit 100*l.*

By 5 *Geo. 1. c. 9.* selling chances of any ticket in any public lottery, not having the original ticket, shall incur the forfeitures inflicted on private lotteries, and 100*l.* more.

By 8 *Geo. 1. c. 2.* persons setting up offices for sale of houses, lands, goods, or other things, by way of lottery, shall forfeit 500*l.* besides the other penalties; and the contributors to such sales shall forfeit double the sum contributed.

By 9 *Geo. 1. c. 19.* and 6 *Geo. 2. c. 35.* persons publishing, selling or delivering tickets in any foreign lottery; shall forfeit 200*l.* over and above the penalties in former acts.

By 12 *Geo. 2. c. 28.* sales of houses, lands or goods by lottery or chance shall be void, and the lands and goods forfeited.

Not to extend to any games in palaces where the king resides; nor to affect right to any lands, held by partition, by lots. *Ibid.*

By 29 *Geo. 2. c. 7.* and 30 *Geo. 2. c. 5.* offences committed in *Ireland* against any acts for preventing unlawful lotteries, are punishable in like manner, and penalties may be recovered in his majesty's courts of record at *Dublin*.

B 22 *Geo. 3. c. 47.* *Irish* tickets may be sold in the same manner as *British* tickets.

No person shall keep a lottery office without taking out a license from the stamp office. Each licence to cost 50*l.* *Ibid.* 19 *Geo. 3. c. 21.*

Licenses shall set forth the name of the person taking out the same, and shall continue in force for one year. *Ibid.*

No license shall be granted for any office in *Oxford* or *Cambridge*; and persons keeping any office contrary to this act, shall forfeit 100*l.* *Ibid.*

*Licensed to deal in lottery tickets.* shall be expressed on the front of each licensed office; and forging or altering any license is a penalty of 500*l.* *Ibid.*

All persons taking out licenses are to give bond to the crown to observe this act; and if convicted of any offence, shall forfeit their license. *Ibid.*

No business shall be transacted at any lottery office before eight in the morning, nor after eight in the evening, except the *Saturday* before drawing, on penalty of 50*l.* *Ibid.*

No one shall sell any share less than a sixteenth, nor sell any chance for less than the whole drawing, or insure for or against the drawing of tickets, or receive any money or goods to repay money or goods in case any ticket shall prove fortunate or unfortunate, on a penalty of 50*l.* in any of such cases. *Ibid.*

Persons selling shares of tickets not their property shall forfeit 50*l.* The commissioners of stamps shall establish an office in *London* or *Westminster*, where tickets shall be deposited before they are shared. All agreements for shares shall be stamped on paper; on penalty of 50*l.* on the receiver general delivering out any share unstamped. *Ibid.*

The receiver general shall give a receipt for tickets brought to be shared. All such tickets shall remain in his hands three days after they are drawn. The numbers of all tickets deposited in the office shall be entered in a book, with the names of the owners, and the number of shares into which they are divided; and 2*d.* for each share shall be paid to the officer on depositing tickets in the office. *Ibid.*

Selling any share of a ticket without a stamp is a penalty of 50*l.* *Ibid.*

Forging

Forging or altering receipts, or using the same with a fraudulent intention, is felony *without* clergy. *Ibid.*

By 27 Geo. 3. c. 1. the powers given by 8 Geo. 1. c. 2. 12 Geo. 2. c. 28. and 22 Geo. 3. c. 47. shall continue in force, except such as are hereby altered.

After the passing of this act, penalties incurred under such acts shall not be recoverable before justices, but may be sued for by any persons whomsoever within six months in the courts at *Westminster*, and the penalties go half to the crown, to be paid to the receiver general of the stamps, and half with full costs to the informer; and in every action for penalties the defendant shall give bail, not exceeding 500*l.* to answer it. *Ibid.*

Persons who shall deal in or register tickets without taking out a license pursuant to 22 Geo. 3. or sell chances for a day, or any time less than the whole drawing, or insure tickets, or receive money or goods, for a promise to return any money, or any plate, jewels or goods, upon any contingency in the drawing, shall be deemed rogues and vagabonds, within 17 Geo. 2. c. 5. and the justices shall commit offenders to the house of correction till the next quarter sessions. *Ibid.*

But the possessor of a whole ticket may insure it by a written agreement for its own value, therein specifying the possessor's name, and the premium given. *Ibid.*

When an insurance is made, it must be for the whole time remaining of the drawing; and the ticket must be deposited with the receiver general of the stamp duties, or some person appointed by him to receive it; but tickets and insurances are assignable. *Ibid.*

Persons not duly licensed making insurances are liable to the penalties of keeping unlicensed offices; but offenders are not liable to prosecutions for pecuniary penalties, and also as vagabonds, nor before a justice for offences respecting lotteries already established, unless information has been made before *February 5, 1787.* *Ibid.*

## Lunaticks.

By 11 Geo. 3. c. 20. the guardians or committees of lunaticks are enabled, by order of the lord chancellor, to accept of surrenders of leases, and to grant new ones.

## Madder.

By 31 Geo. 2. c. 12. persons convicted of stealing or destroying any madder roots, are for the first offence to make such satisfaction for the damage as the justice of peace shall appoint, and pay a fine not exceeding 10*s.* and for the second offence be imprisoned three months.



## Madhouses.

By 14 *Geo. 3. c. 49.* made perpetual by 26 *Geo. 3. c. 91.* confining more than one lunatic in any one house, without license, shall forfeit 500*l.*

Five fellows of the college of physicians, or licentiates, to be commissioners to grant licenses on 5*s.* stamps, one for each house annually, but no commissioner to keep such house, on penalty of 50*l.* *Ibid.*

Commissioners to visit licensed houses, and refusing them admittance, forfeiture of the license; commissioners to be paid each on every inspection 1*l.* 1*s.* keepers to give to the commissioners secretary an account of admission of patients (except paupers) in three days within seven miles of *London*, and admitting without an order, to forfeit 100*l.* *Ibid.*

Quarter sessions to license houses more than seven miles from *London* annually; if keeping ten lunatics to pay 10*l.* if above 15*l.* and only one house for each license; and justices, with a physician, to visit licensed houses; and keepers to give notice of admission of patients in fourteen days, on forfeiture of 100*l.* and to give a recognition of 100*l.* on each license. *Ibid.*

The lord chancellor, and two chief justices, may order commissioners or justices to inspect licensed houses, and report the state thereof, and may inspect registers, and examine parties, but not to extend to public hospitals. *Ibid.*

Not to give greater power than is allowed by law. *Ibid.*

## Maintenance.

By 3 *Ed. 1. c. 25. 28. & 33.* none of the king's officers shall maintain suits, in the king's courts, for lands or other things, under covenant to have any part of the same, or profit therein; and clerks of justices shall not take part in quarrels, or delay right, on pain of treble damages; nor shall sheriffs permit barretors, or maintainers, to make suits in the counties.

By 13 *Ed. 1. c. 36.* lords of courts, stewards, and others, shall not grieve their inferiors, or procure suits maliciously, on pain of fine, and treble damages.

The buyer and feller, clerk, or lay of tenements pending suit, shall be punished at the king's pleasure. *Ibid. c. 49.*

By 28 *Ed. 1. c. 11.* no officer or other shall take upon him the matter in suit, to have part thereof; none shall give up his right on such covenant. The taker to forfeit the value; but every person may take counsel of pleaders for fee, or of parents and next friends.

By 33 *Ed. 1. stat. 3.* conspirators, inventors, and maintainers of false quarrels, shall be fined and imprisoned three years.

By

## Mandamus & Quo Warranto. 421

By 1 *Ed. 3. stat. 2. c. 14.* and 20 *Ed. 3. c. 4.* none, great nor small, shall maintain quarrels, by sending letters, or otherwise, to the disturbance of the common law.

By 4 *Ed. 3. c. 11.* justices of assise shall determine of maintainers, as justices in eyre did.

By 1 *Rich. 2. c. 4.* counsellors of the king, and great men who sustain quarrels by maintenance, shall be punished as the king and lords of this realm shall advise; other less officers and servants shall lose their offices, and be imprisoned.

By 1 *Rich. 2. c. 7.* no livery shall be given for maintenance of quarrels, on pain of fine and imprisonment, and justices of assise shall inquire of, and punish offenders.

By 13 *Rich. 2. stat. 3.* none shall give livery, unless in time of war, but to those who are retained, to serve by indenture, or are their menial servants, and no maintainers or barretors shall be retained.

By 32 *Hen. 8. c. 9.* no person shall buy or sell any right or title, or maintain it, or procure maintenance in any suit, and all statutes concerning the same, shall be put in execution. The buyers shall forfeit the whole value, unless the seller has taken the profits one year before.

Maintaining a suit depending, by letters, rewards, or promises, shall forfeit 10*l.* *Ibid.*

But any one may purchase a pretended title of him who is in possession; and justices of assise may determine offences against this act, if prosecuted within a year. *Ibid.*

## Malt.

By 2 *Ed. 6. c. 10.* no malt shall be made for sale, except the same have in the fat floor sufficient steeping and drying, seventeen days at least in the months of *June, July, or August*, and in the other parts of the year, three weeks; nor shall any mingle good malt with spired barley, on pain of 2*s.* per quarter.

Any person putting to sale malt, not well fanned, whereby half a peck of dust may be fanned out of one quarter, shall forfeit 20*d.* a quarter. *Ibid.*

Justices, stewards of leets, bailiffs, and constables, may view and search all such malt, where made or put to sale. *Ibid.*

## Mandamus and Quo Warranto.

By 18 *Ed. 1. stat. 2.* pleas of quo warranto shall be determined in their own shires, in the circuit of the justices in eyre. Possession of franchises without interruption, before the time of *Rich. 1.* are confirmed; and also all charters of franchise, according to their tenor; and restitution shall be made to those whose franchises were lost in pending in quo warranto, since the last *Easter.* *Ibid. c. 18.*

By 9 *Ann. c. 20.* returns to writs of mandamus, out of the king's bench, or other courts, shall be made to the first writ. As soon as the return is made, the prosecutor in such writ may plead, to which the person returning may reply; and if damages and costs are recovered against him, he shall not be sued in other actions.

Informations may be exhibited, with leave of the court of king's bench, in the nature of *quo warranto*, against such as usurp, or intrude into offices or franchises. And judgment of *ouster* may be given therein, with costs. *Ibid.*

The court may allow a convenient time to return a mandamus, plead, and reply, or answer any such information. *Ibid.*

The 4 *Ann. c. 16.* and all the statutes of jeofails, shall be extended to writs of mandamus, and informations in the nature of *quo warranto*. *Ibid.* (see *Pleadings*.)

No annual returning officers shall be re-elected; and such annual officer obstructing the election of his successor, shall forfeit 100*l.* half to the crown, and half to the prosecutor. *Ibid.*

## Manufactures.

By 1 *Ann. stat. 2. c. 18.* and 13 *Geo. 2. c. 8.* persons employed in the woollen, linen, fustian, cotton, or iron manufactures, imbezling the same, shall forfeit double damages, or be imprisoned till satisfaction made, which, if not done, they are to be publicly whipped; and persons buying or receiving such goods imbezled, are liable to the like punishment.

Labourers and workmen shall be paid in money, and all wool to be brought, shall be delivered out by just weight, on pain of double damages. *Ibid.*

Two justices may determine offences against this act, with liberty of appeal to the quarter sessions. *Ibid.* Made perpetual by 9 *Ann. c. 39.*

By 5 *Geo. 1. c. 27.* persons convicted within twelve months of contracting with, or enticing any artificer in wool, iron, steel, brass, or other metal, clock maker, watch maker, or other artificer, to go into a foreign country, shall be fined, not more than 100*l.* for the first offence, and be imprisoned for three months, and for the second offence, shall be fined discretionally, and be imprisoned twelve months.

Any such artificer going into a foreign country, there to exercise his trade, and not returning in six months after warning given him by the ambassador, shall be incapable of being an executor, or taking any legacy or devise, and shall forfeit all his lands and goods, and be deemed an alien. *Ibid.*

Any justice of peace may, on complaint of any offence against this act, apprehend the offender, and bind him to appear at the assizes or sessions; if he refuses, he may be committed; and persons convicted shall give security not to depart the kingdom, or be committed. *Ibid.*

Such



Such offences in *Scotland* may be determined in the court of justiciary, or the circuits. *Ibid.*

By 13 *Geo.* 2. c. 8. and 22 *Geo.* 2. c. 27. manufacturers shall compleat the work in which they were hired, or be sent to the house of correction.

Persons convicted of buying or receiving materials from workmen in manufactures, to forfeit 20*l.* for the first offence, and on non-payment to be committed and whipped; and on subsequent offence to forfeit 40*l.* *Ibid.*

By 22 *Geo.* 2. c. 27. workmen not returning the materials not used in manufacturing, to suffer the punishment for embezzling.

The provisions in 12 *Geo.* 1. c. 34. (*see this title Woollen*) to prevent combinations of workmen in the woollen manufactures, are extended to persons employed as hatters, dyers, hotpressers, or in the manufactures of silk, mohair, fur, hemp, flax, linen, cotton, fustian, iron, or leather. *Ibid.*

By 23 *Geo.* 2. c. 13. persons convicted of seducing artificers in the manufactures of *Great Britain* or *Ireland*, out of the dominions of *Great Britain*, shall forfeit 500*l.* and be imprisoned 12 months; and for a second offence, shall forfeit 1000*l.* and be imprisoned for two years.

Persons exporting utensils of the woollen and silk manufactures, shall forfeit the tools, and 200*l.* *Ibid.*

By 14 *Geo.* 3. c. 71. for exporting tools and utensils used in the cotton, linen, woollen, or silk manufactures, (*wool cards of 4s. and spinners cards of 1s. 6d. value excepted*, 26 *Geo.* 3. c. 76.) is a forfeiture of the goods, and penalty of 200*l.* one half to the king and the other to the prosecutor (*to be levied by distress, and the offender to be committed for a month*, 15 *Geo.* 3. c. 14.)

Manufacturers of wool or linen shall be allowed a drawback of so much as is paid on home made soap, for all soap used by them, whether imported or made in this kingdom. c. 73.

The 17 *Geo.* 3. c. 56. altered the punishment of 22 *Geo.* 2. c. 19. of workmen in the woollen, hat, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures, for embezzling materials, and for receiving the same, or not performing their engagements; and two justices may grant a warrant to search for embezzled materials.

The punishment, under this act, for the first offence, is a penalty of not more than 40*l.* nor less than 20*l.* or commitment and whipping; and for a second offence from 50*l.* to 100*l.* or commitment and whipping.

## Buttons.

By 4 & 5 *W. & M.* c. 10. foreign buttons made of hair, or other foreign buttons, shall not be imported, upon pain of forfeiting the same, and also 100*l.* Selling such buttons is a forfeiture of 50*l.*

By 10 *W.* 3. c. 2. buttons shall not be made, sold, or set upon any clothes, if formed out of cloth, serge, drugget, freeze, camblet, stuffs, or wood, under the penalty of 40*s.* per dozen.

By 8 *Ann. c. 6.* taylors or others, making, setting on, selling, or binding on any clothes, buttons or button holes, made of serge or other stuff, incur a penalty of 5 *l.* per dozen.

By 4 *Geo. 1. c. 7.* no taylor shall make, sell, or set on, any buttons or button holes, made of cloth, serge, or the like, on any clothes whatsoever, on penalty of 40 *s.* per dozen, if prosecuted within three months.

Persons dwelling in gaols are liable to the penalties for offending. *Ibid.*

Such clothes exposed to sale, may be seized; and taylors causing their servants to make clothes contrary hereto, shall be subject to the penalties. *Ibid.*

By 7 *Geo. 1. c. 12.* no person shall wear, on any clothes, buttons made of cloth, or as above, on penalty of 40 *s.* per dozen, to be convicted before one justice, within a month.

Clothes made of velvet are excepted out of the acts.

#### *Clocks and Watches.*

By 9 & 10 *W. 3. c. 28.* no case or dial plate, for clock or watch, shall be exported without the movement, nor made up without engraving the maker's name, on forfeiture thereof, and also 20 *l.*

By 27 *Geo. 2. c. 7.* persons employed in the manufacturing of clocks and watches, pawning, embezzling, or making away with any of the materials, shall forfeit 20 *l.* for the first offence, and on non-payment thereof, be imprisoned for 14 days, and if the penalty is not paid within two days before the expiration of that time, the offender is to be publicly whipped; for the second, and every subsequent offence, the penalty is 40 *l.* and imprisonment for not more than three months, nor less than one, and if such penalty is not paid within seven days before the expiration of such imprisonment, the offender is in like manner to be publicly whipped.

Persons buying, receiving, or taking by way of gift, pawn, or exchange any of such goods or materials, knowing them to be purloined, are subject to the same penalties. *Ibid.*

#### *Cotton.*

By 13 *Geo. 2. c. 8.* persons employed in that manufacture, embezzling the same, shall forfeit double the value, and justices of the peace may punish them and the receivers, and may hear and determine concerning the wages and frauds of workmen.

By 4 *Geo. 2. c. 16.* and 18 *Geo. 2. c. 27.* stealing cotton to the value of 10 *s.* from whitening grounds, is felony without clergy, or the judge may order transportation.

#### *Gloves.*

By 6 *Geo. 3. c. 19.* foreign leather gloves and mits imported, shall be forfeited, and the importer, vender, retailer, or concealer, shall forfeit 200 *l.* besides, with double costs.

Such

Such goods under the value of 20*l.* may be proceeded against before two justices, and if condemned they are to be sold for exportation only. *Ibid.*

In case of doubt, whether such goods are of foreign manufacture, the proof shall lie on the possessor, but the possessor (not importing or concealing the same) discovering the vender, is discharged from the penalty and forfeiture, and from giving proof. *Ibid.*

A moiety of the penalty goes to the king, the other to the officer seizing; and if he neglects for one month to sue for any penalty, any other person may sue for and recover the same in like manner. *Ibid.*

The wearers of such goods are not subject to any penalty, forfeiture, or proof, on that account. *Ibid.*

By 25 *Geo.* 3. c. 55. the above act shall extend to all foreign leather cut, or prepared, in order to be made into gloves or mits, and called *shapes* or *tranks*.

## Hats.

By 17 *Geo.* 3. c. 55. every master hatter shall employ one journeyman for each apprentice, or be disabled to take two apprentices.

Journeymen combining as mentioned in 22 *Geo.* 2. c. 27. (*see page 423, and this title Woollen*) and convicted, must, before any appeal allowed, give a recognizance. *Ibid.*

Attending combination, or soliciting others so to do, or contributing thereto, penalty three months imprisonment. *Ibid.*

No hatmaker shall act as a justice under this act, and not to repeal 22 *Geo.* 2. c. 27. *Ibid.*

By 24 *Geo.* 3. c. 21. no person shall export any *British* hare-skins, hare-wool, or coney-wool, or undressed coney-skins, or load any horse or cart, therewith, in order to export the same, on forfeiture thereof, besides a penalty of 500*l.* on the owner or exporter; and 40*l.* on the master and mariners.

No person shall stain or dye any *British* hare-skins or coney-skins, on forfeiture thereof, with the machines, and also 20*l.* *Ibid.*

Goats hair may be imported duty free. *Ibid.*

## Iron and Steel.

By 25 *Geo.* 3. c. 67. no person shall put on board any vessel for exportation, " any hand stamps, doghead stamps, pully stamps, " stamps of all sorts, hammers and anvils, or screws for stamps, " iron rods for stamps, presses of all sorts in iron, steel, or other " metal, cutting out presses, beds and punches used therewith; " piercing presses, and beds and punches used therewith; iron or " steel dies to be used in stamps or presses; rollers of cast iron, " wrought iron, or steel, for rolling of metal, and frames for the " same; flasks or casting moulds, and boards used therewith; lathes " of all sorts, whole or in parts; lathe strings, polishing brushes, " scoring or shading engines, presses for horn buttons, dies for " horn buttons, sheers for cutting of metal, rolled steel, rolled " metal,



“ metal, with silver thereon, parts of buttons unfinished, engines  
 “ for chasing, stocks for casting buckles, buttons, and rings; cast  
 “ iron anvils and hammers for forging mills for iron and copper;  
 “ rollers, slitters, beds, pillars, and frames for slitting mills; die  
 “ sinking tools, engines for button shanks, laps, drilling engines,  
 “ tools for pinching of glass; engines for covering of whips; po-  
 “ lishing brushes; bars of metal covered with gold or silver; iron,  
 “ or steel screw plates, pins, and stocks for making screws, or any  
 “ other tool or thing which now is, or hereafter shall be used in the  
 “ iron or steel manufactures,” on penalty of forfeiture thereof; and  
 if the offender shall not give a satisfactory account before the magi-  
 strate, he shall be bound to appear at the next assizes, or be commit-  
 ted for trial, and on conviction, shall forfeit 200*l.* and be im-  
 prisoned twelve months.

Officers of the customs shall seize such articles laid or intended to  
 be laid on board any outward-bound vessel, and the same shall be  
 sold, and go half to the king, and half to the officer. *Ibid.*

Masters of vessels permitting such things to be put on board, shall  
 forfeit 200*l.* and be incapacitated. *Ibid.*

Officers of customs taking any entry outwards, for such articles,  
 shall forfeit 200*l.* and be incapacitated. *Ibid.*

Any person having in possession any such things, with intent to  
 export the same, a magistrate may issue his warrant for seizing there-  
 of, and bringing such person before him; and if he shall not give a  
 satisfactory account thereof, such things may be detained, and the  
 possessor bound over to appear at the next assizes, or he may be com-  
 mitted for trial; and if convicted, shall forfeit 200*l.* and be im-  
 prisoned twelve months. *Ibid.*

Persons enticing artificers in the iron or steel manufactures, to  
 leave this kingdom, except to *Ireland*, shall forfeit for the first offence  
 500*l.* and may be imprisoned twelve months: and for the second,  
 or other offence, they shall forfeit 1000*l.* and be imprisoned two  
 years. *Ibid.*

But prosecutions hereon must be commenced within 12 months.

But by 26 *Geo. 3. c. 89.* from July 10, 1786, such tools used in  
 the iron and steel manufactures may be exported, as might have  
 been before passing the above act, EXCEPT “ rollers, plain, grooved,  
 “ or of other form, of cast iron, wrought iron, or steel, for the roll-  
 “ ing of iron or metals; and frames, beds, pillars, screws, pinions,  
 “ and tools thereof; rollers, slitters, frames, beds, pillars, and  
 “ screws for slitting mills; presses of all sorts used with a screw above  
 “ 1½ inches in diameter, or any parts of these articles, or any model  
 “ thereof, or any part thereof; and engines for casting or boring  
 “ cannon or artillery, or any model thereof; hand stamps, dog-  
 “ head stamps, pulley stamps, hammers, and anvils for stamps;  
 “ cutting out presses, their beds and punches; scoring or shading  
 “ engines; presses and dies for horn buttons; rolled metal, with  
 “ silver thereon; unfinished parts of buttons; engines for chasing  
 “ stocks for casting buckles, buttons, and rings; die sinking tools;  
 “ engines to make button shanks; laps, tools for pinching glass,  
 “ engines

“ engines for covering whips, bars of metal covered with gold or silver, and blood stones, rough or finished.”

No person shall have in possession, with intent to export, (except to *Ireland*) “ any wire moulds for making paper; wheels made of metal, stone or wood for roughing, cutting, polishing, and engraving glass; purcellas, pincers, sheers, and pipes, used in blowing glass; potters wheels and potters lathes for plain, round, and engine turning tools, used by saddlers, harness-makers, and bridle-makers, viz. cattle strainers, side strainers, point strainers, creasing irons, screw creasers, wheel irons, seat irons, pricking irons, bolstering irons, clams, head knives.” And the above act, as far as relates to exporters of articles therein enumerated, shall extend to exporters of articles specified in this act. *Ibid.*

This act shall continue in force until the end of the next session of parliament by 27 *Geo.* 3. c. 36.

## Lace.

By 13 & 14 *Car.* 2. c. 13. foreign bone lace, cut work, embroidery, fringe, band, strings, buttons or needle-work made of thread or silk, shall not be imported or sold.

By 11 *W.* 3. c. 3. *English* bone lace may be exported, custom free, to *Scotland*, *Ireland*, or the Plantations.

By 5 *Ann.* c. 17. the 13 & 14 *Car.* 2. and all other acts restraining the importation, or selling of foreign lace, are repealed, as to thread-lace made in the *Spanish* low countries, or in any other place, not within the kingdom of *France*.

By 4 *Geo.* 1. c. 6. no maker, or wholesale trader in *English* bone lace, and selling the same by wholesale, shall be deemed a hawker and pedlar, but such persons may go from house to house to their customers who sell again.

By 19 *Geo.* 3. c. 49. all persons who shall employ any lace manufacturers, or shall purchase lace of them, shall pay them in money, and not with goods, or by way of truck, on penalty of 10*l.* to be levied by distress, and in default thereof to be imprisoned for six months.

Lace makers may recover money due to them for lace sold, or for making thereof, before justices of peace; but persons aggrieved may appeal to the quarter sessions, on giving fourteen days notice. *Ibid.*

## Leather.

By 27 *Hen.* 8. c. 14. leather curried to be exported, shall be packed and told, by a man appointed and sworn thereto.

No person having a tan-house shall export any manner of leather tanned or untanned. *Ibid.*

Captains of ships and masters of vessels going to *Ireland*, *Dantzick*, *Norway*, and the *Straits*, excepted. *Ibid.*

Hides untanned of beasts killed in *Wales* may be exported. *Ibid.*

*Qu.* Whether this act continued in force after the expiration of the old subsidy.

By

By 5 *Eliz. c. 22.* no person shall take the wool off any sheep skin or lamb skin, or buy the skin of any buck, doe, or the like, unless to make leather or parchment, on pain of 2*s.* 6*d.* a skin.

None shall export sheep skins, or the skin of any stag, or the like, on pain of forfeiture, and 2*s.* 6*d.* per skin. *Ibid.*

But by 8 *Eliz. c. 14.* tawed leather made of sheeps skins may be exported.

By 18 *Eliz. c. 9.* shipping any leather, tallow, or raw hides, with intent to be exported, forfeits ship and goods, and treble value.

*Qu. if in force.*

By 3 *Jac. 1. c. 9.* none but artizan skimmers shall dress or export black coney skins.

No merchant shall buy any coney skins or lamb skins, called morkins, under the number of 1000 black coney skins, or 3000 grey coney skins, or 2000 lamb skins, nor utter the same again in small quantities, unless to the artizan skinner. *Ibid.*

No skinner shall take any to be his journeyman, unless he has served seven years as an apprentice therein. *Ibid.*

By 13 & 14 *Car. 2. c. 7.* no hides tanned or untanned of any ox, bull, cow, or calf, shall be exported, on pain of 500*l.*

All red tanned leather of such cattle must be bought only in open fairs or markets for selling leather, and sealed, on forfeiture thereof. *Ibid.*

But leather made into boots, shoes, or slippers, may be exported. *Ibid.*

Tanners shaving of leather shall forfeit the same. *Ibid.*

Leather for necessary use of ships in voyages not exceeding six raw, and three tanned hides, may be shipped. *Ibid.*

By 13 *Geo. 2. c. 8.* persons employed in manufacturing leather, who shall embezzle the same, shall forfeit double damages for the first offence, and quadruple damages after.

They shall be paid their wages in money, and not by any goods, and complaints are to be heard by two justices. *Ibid.*

They shall perform the business in which they are retained, and leaving it before compleated, may be committed to the house of correction. *Ibid.*

This act to extend to Scotland. *Ibid.*

### Linen.

By 28 *Hen. 8. c. 4.* the contents of every piece of doulas and lockeram shall be set upon the cloth; on pain of forfeiture.

By 1 *Eliz. c. 12.* linen cloth deceitfully stretched or used shall be forfeited, the offender imprisoned a month, and fined at the discretion of the justices.

By 29 *Geo. 2. c. 15.* altered by 10 *Geo. 3. c. 38* and continued by 26 *Geo. 3. c. 43.* for seven years, the following bounties, (*see* 2 *Geo. 3. c. 21. page 182.*) are payable on exportation.



	l.	s.	d.
Linens twenty-five inches broad made of hemp or flax, in <i>Great Britain</i> , <i>Ireland</i> , or the isle of <i>Man</i> , and exported to <i>Spain</i> , <i>Portugal</i> , <i>Gibraltar</i> , or <i>America</i> under the value of 5 d. per yard	0	0	0½
Value 5 d. and under 6 d. per yard	0	0	1
Value 6 d. and under 1 s. 6 d. per yard	0	0	1½
<i>British</i> checked or striped linen 7 d. and not exceeding 1 s. 6 d. per yard	0	0	0½
For every yard of diaper, huckaback, sheeting and other species of linen, upwards of one yard <i>English</i> in breadth, and not exceeding 1 s. 6 d. the square yard	0	0	1½

Any person affixing stamps on foreign linen, in imitation of the stamp used for that of *Scotland* or *Ireland*, or counterfeiting stamps on *British* or *Irish* linen, to forfeit 5 l. for each piece: and for exposing such linens to sale knowingly to forfeit such linens. 17 Geo. 2. c. 30. and 18 Geo. 2. c. 24.

*British* or *Irish* linens entered for exportation to receive the bounties at undervalue, fraudulently, to be forfeited one half to the king, the other half to the informer. 17 Geo. 2. c. 31. 18 Geo. 2. c. 25. and 29 Geo. 2. c. 15.

Stamp masters to be sworn, no linens to be stamped before sworn to be of the manufacture of *Scotland* or *Ireland*. 18 Geo. 2. c. 24. and 29 Geo. 2. c. 15.

And by the same acts no bounty shall be paid on exportation of such linens, before they are marked, numbered and stamped.

By 18 Geo. 2. c. 27. whoever shall steal any linen, laid to be printed, bleached, or the like, or aid, or hire another to commit such offence, shall be guilty of felony, and suffer death, and the court may order such offenders to be transported for fourteen years.

By 26 Geo. 2. c. 20. after the expiration of the bounties on exportation of *British* and *Irish* coarse linens, the annual sum of 3000 l. shall be paid for nine years out of the duties in *Scotland*, for encouraging manufactures of linen in the *Highlands*.

By 19 Geo. 3. c. 27. the same bounty shall be allowed on the exportation of *Irish* linens the property of persons residing in *Ireland*, as on those the property of persons residing in *America*.

By 22 Geo. 3. c. 40. persons entering any house by force, with intent to cut or destroy any linen or cotton manufactures, or tools used therein, shall be deemed guilty of felony without benefit of clergy.

By 22 Geo. 3. c. 60. persons enticing workmen employed in printing calicoes, cottons, muslins and linens, or in making blocks, plates, or implements used in such manufactory, to leave the kingdom, shall for the first offence forfeit 500 l. and be imprisoned twelve months; and for the second offence 1000 l. and be imprisoned two years; but prosecutions must be commenced within twelve months.

Exporting or attempting to export, any blocks, plates or implements used in the said manufactory is a forfeiture thereof, and of 500*l.* *Ibid.*

Officers of customs or excise may seize such blocks, plates and implements, as shall be attempted to be exported: and captains or masters, who shall permit the same to be put on board their vessels shall forfeit 100*l.* and if a king's officer, besides the penalty, shall be disabled. *Ibid.*

Officers who shall take any entry outward for exporting any of the said articles shall forfeit 100*l.* and be disabled. *Ibid.*

By 23 *Geo.* 3. *c.* 77. continued by 26 *Geo.* 3. *c.* 53. for two years from 1786, the manufacturers of flax and cotton, shall make oath before a proper officer, of the quantities of soap and starch consumed by them in each respective manufacture; and the collector, out of the money in his hands of the duty on soap, shall pay to such manufacturers a drawback on all soap so used, at the rate of three farthings per lb. (except it is used to whiten new linen for sale) and out of the money in his hands of the duties on starch, a drawback of three half-pence per pound on all starch so used (except for starch used for finishing linen for sale) and then three pence per lb. and if the collector shall not have money sufficient in hand, he is to certify the same to the commissioners, who are to pay the same.

The manufacturer, or his chief workman shall produce an account, upon oath, of the soap, and starch used by him in his manufactory, in the preceding year; and shall keep also a weekly account, to be produced to the officer on demand; and where there is a superintending owner and an overseer, each shall produce their accounts, on oath before the collector. *Ibid.*

The importation duties on brimstone and saltpetre, consumed in making oil of vitriol, shall be repaid; but manufacturers of flax and cotton, and makers of oil of vitriol, shall enter their names and places of abode with the collectors of excise and customs. *Ibid.*

Officers taking of manufacturers any fees, except 6*d.* for writing each oath, shall forfeit treble damages with costs. *Ibid.*

Manufacturers swearing falsely in the oaths before mentioned, shall forfeit 100*l.* and for a second offence, shall suffer as in cases of corrupt perjury. *Ibid.*

If any manufacturer, or his workman keeping the account of the weekly consumption of soap and starch shall swear falsely, he shall be committed for six months; and for a second offence, suffer as in cases of corrupt perjury. *Ibid.*

By 27 *Geo.* 3. *c.* 38. from June 1. 1787, the proprietor of any original pattern for printing linens, shall have the sole right of printing it for two months from first publication; and whoever shall within that period print the same shall be liable to an action for damages: but any person purchasing plates from the proprietors may print therefrom.

This act is to continue in force for one year, and to the end of the then next session. *Ibid.*

*Shoes.*

## Shoes.

By 9 *Geo. 1. c. 27.* on due proof of a journeyman's purloining boots, shoes, slippers or any other wares, or any materials for making the same, a justice may convict him, and award satisfaction for damage sustained, which may be levied by distress, and in default thereof he is to be whipped. The second offence is imprisonment for one month, or not less than 14 days. Confederates by buying, receiving, or taking in pawn such articles, are liable to the same punishment.

Justices of peace, upon information on oath, may issue warrants to search for such goods, and cause them to be restored to the owners. *Ibid.*

Persons suffering themselves to be employed by a new master, before the shoes, boots, or other work delivered by a former is done, shall be sent to the house of correction. *Ibid.*

But the party aggrieved by orders of such justices, may appeal to the next sessions. *Ibid.*

## Silk.

By 19 *Hen. 7. c. 21.* no silk wrought by itself or with any other stuff out of the realm, in ribbons, girdles, corsets, kauls, corsets of tissues or point, shall be imported, on forfeiture thereof; other silks as well wrought as raw or unwrought, may be imported.

By 13 & 14 *Car. 2. c. 15.* none shall use the art of a silk thrower, unless he have served an apprenticeship of seven years; on pain of 40s. a month.

Persons imbezbling any silk delivered to be wrought up, and also buyers and receivers, on conviction before a justice, shall make satisfaction, and on failure be set in the stocks. *Ibid.*

By 2 *Will. & Mar. Sess. 1. c. 9.* no thrown silk shall be imported, except of the produce of *Italy, Sicily* or *Naples*, and in vessels navigated according to the act of navigation.

By 6 *Ann. c. 19.* clandestine importers of wrought silks, or silks mixed with gold or silver shall forfeit 200*l.* sellers and concealers, forfeit 100*l.* and the silks forfeited shall be sold at the custom house.

By 8 *Geo. 1. c. 15.* continued by 22 *Geo. 3. c. 13.* till June 24, 1788 exporters of ribbons and stuffs made in *Great Britain* of silk only, shall have an allowance of 3*s.* for every pound weight; of silk mixed with gold or silver 4*s.* for every pound weight of silk stockings, gloves, fringes, laces or sewing silk 1*s.* 3*d.* per lb. of stuffs of silk or grogram yarns 8*d.* per lb. of silk and cotton 1*s.* per lb. of silk and worsted 6*d.* per lb. (additional bounties are allowed by 24 *Geo. 3. c. 49.* which see in page 433.)

But there shall be no allowances for such manufactures mixed with gold or silver at the edges only. *Ibid.*

By



By 9 *Geo. 1. c. 8.* there shall be no allowances on exportation of such manufactures mixed with silk, unless two thirds of the warp at least be silk.

By 1 *Geo. 2. c. 17.* the securities given on exportation, where certificates cannot be obtained, may be discharged on the oath of the master.

There shall be no allowance on exportation of stuffs mixed with silk, unless the silk mixed in the warp, be apparent to view, and double the value of the bounty. *Ibid.*

By 23 *Geo. 2. c. 20.* raw silk of the growth of the *British* colonies in *America*, may be imported duty free, so that the vessels be lawfully navigated, and entry made.

Raw silk of the growth or produce of *Persia*, purchased in *Russia* may be imported into this kingdom, from any port or place belonging to the empire of *Russia*. *Ibid. c. 34.*

By 26 *Geo. 2. c. 21.* foreign silks, velvets, and the like imported, shall be sealed before delivery from the custom-house at the end of the piece; notice to be given by the exporter, and found without seals, may be seized.

By 3 *Geo. 3. c. 21.* foreign ribbons, laces, and girdles, imported, may be seized by any person, importer to forfeit also 100*l.* and persons assisting, 50*l.*

By 5 *Geo. 3. c. 48.* foreign manufactured silk stockings, mits and gloves imported, may be seized, and the importer and vender to forfeit the goods, and also 200*l.* with costs.

After condemnation may be publicly sold for exportation to foreign parts, on security so to do, and if a doubt as to the place of manufacture, the proof to lie on the defendant, and the person in whose custody the goods are found, on discovering the seller excused the penalty; and the wearer hereof not liable to penalty. *Ibid.*

The penalty in the last act for importing foreign ribbons, laces and girdles, increased to 200*l.* with costs, and not to be burnt, but publicly sold for exportation to foreign parts, on security as above, and if officer neglects to sue for the penalty, one month after condemnation, any other may recover the same. *Ibid.*

By 6 *Geo. 3. c. 28.* foreign wrought silks or velvets imported, are forfeited, and also 100*l.* with costs, and to be sold as above; but not to extend to silks and velvets made and imported from the *East Indies*, or to silk crapes and tiffanies made in *Italy*.

By 6 *Geo. 3. c. 40.* silk goods to be exported to *Africa*, may be removed from one part of *Great Britain* to another, on security.

By 11 *Geo. 3. c. 41.* raw silk and mohair yarn imported from the *Streights* or *Levant* shall be deemed as if imported from the grand Signor's dominions, and aired according to 26 *Geo. 2. c. 18.*

By 22 *Geo. 3. c. 40.* persons entering by force into any house with intent to cut or destroy any *woollen* goods, or tools used in manufacturing thereof, or any *silk* goods, or tools, used in manufacturing

facturing thereof, shall be deemed guilty of felony without benefit of clergy.

By 24 *Geo. 3. c. 49.* from *March 1, 1785*, additional bounties shall be allowed on exportation of the following articles of *British manufactures, viz.*

Silk ribbons and stuffs 2*s.* per lb. filks and ribbons mixed with gold or silver 2*s.* 8*d.* per lb. silk stockings, gloves, fringes, laces, stitching or sewing silk 1*s.* 9*d.* per lb. stuffs of silk and program 6*d.* per lb. of silk and cotton, 8*d.* per lb. and of silk and worsted, 4*d.* per lb. *Ibid.*

And by 25 *Geo. 3. c. 69.* a like bounty shall in like manner be allowed upon the exportation of silk gauzes.

## Stockings.

By 6 *Geo. 3. c. 29.* all frame work knitted pieces, and stockings (those made of silk excepted) containing three or more threads are to be marked with the same number of illet holes, and no more, but may use any materials or number of threads for the welt, and within three inches of the top. Not duly marking their goods is a forfeiture thereof and of 5*l.* journeymen or servants not making such goods on their own account, excepted; who are liable to forfeit not exceeding 40*s.* nor less than 5*s.* unless they make it appear that they acted according to the directions of the master; in which case they are exempted.

Persons who shall sell or expose to sale any such goods not being duly and truly marked, forfeit 5*l.* per piece, and the goods; except they discover the vender, so as he shall be convicted, and become liable to the penalty; in which case they are exempted. *Ibid.*

The rights of the frame-work knitters company are saved. *Ibid.*

## Woollen.

By 25 *Ed. 1. c. 7.* and 34 *Ed. 1. stat. 4. c. 3.* maledolt of wool was released, and directed not to be taken without common consent, saving customs granted before.

By 18 *Ed. 3. stat. 2. c. 3.* all persons may buy wools, as they may agree with the seller.

By 31 *Ed. 3. stat. 1. c. 2.* no wool shall be bought by fraud to abate the price; and weights of the sack, half sack and the like shall be sent to all the sheriffs of *England.*

By 34 *Ed. 3. c. 19.* no custom or subsidy shall be paid for canvas with which wools are packed.

By 36 *Ed. 3. c. 11.* no more shall be taken than the ancient custom of half a mark, and no charge on wools granted by the merchants, shall be taken without assent of parliament.

By 8 *Hen. 6. c. 22.* none shall force, clack, or beard any wool for exportation; wool-packer shall make due packing; no man shall make any in winding, nor put in locks, pelt wool, stones or dirt, and the party grieved shall have his action.

By 23 *Hen. 8. c. 17.* no wool shall be wound that is not sufficiently washed, and no deceitful thing shall be put in the fleece, on pain of 6*d.* per fleece.

By 2 & 3 *Phil. & Mar. c. 13.* the inhabitants of *Hallifax* may buy wool, otherwise than by engrossing, and sell the same again to poor folks there.

By 39 *Eliz. c. 14.* no foreign cards for wool shall be imported into this kingdom; on forfeiture thereof.

By 7 *Jac. 1. c. 7.* workers of wool or yarn who embezzle or detain any part thereof, not being able to make satisfaction, may be ordered by the justices of peace, to be whipped or set in the stocks and the like punishment is inflicted for receiving or buying wool or yarn so embezzled, knowing the same.

Spinners of wool in *Essex* who deliver back woollen yarn by shorter reel than used, shall be subject to like punishment. *Ibid.*

By 12 *Car. 2. c. 32.* no person shall export any sheep or wool, wool fells, mortlings, shortlings, yarn, wool flocks, fuller's earth, or fulling clay, nor carry, or load the same on board with such intent; on forfeiture thereof, and 20*s.* per sheep, and 3*s.* per lb. for the other articles.

Owners of such ships or vessels knowing such offence shall forfeit the same. *Ibid.*

Merchants transporting such things shall be disabled to require any debt due to them from any factor abroad. *Ibid.*

Any person may seize the above goods, and shall have the moiety thereof; but such person shall not be evidence against the offender. *Ibid.*

Forfeiture of the ship if the owner be an alien, or not inhabiting in *England.* *Ibid.*

This act does not extend to lamb skins dressed for linings; nor to wool exported only out of the port of *Southampton*, to *Jersey*, *Guernsey*, *Alderney*, or *Sark.* *Ibid.*

By 13 & 14 *Car. 2. c. 18.* no wool shall be pressed into any package with screws or other engines, or carried or caused to be carried or laid near the coasts, or navigable river, with intent to export; on forfeiture of the same.

No foreign wool cards, or iron wire for making the same, shall be imported or used; on forfeiture thereof; but this does not extend to overworn wool cards amended by the owners for their own use, or to export. *Ibid. c. 19.*

By 1 *Will. & Mar. c. 32.* wool carried on the sea coasts to any port to be conveyed to another port in *England* shall be entered before it is brought within five miles of the port where intended to be conveyed, or it shall be forfeited, and the carriages.

By 7 & 8 *Will. 3. c. 28.* wool shall not be carried by land to or from any county adjoining to *Scotland*, or within five miles of the sea coast but between sun-rising and setting, under forfeiture of goods, carriages and horses; if the wool be above the value of 10*l.* Inhabitants of the hundred shall forfeit treble value; and the ships and vessels shall be forfeited with treble value.

The



The admiralty shall appoint ships to cruise with orders for seizing all ships exporting wool. *Ibid.*

By 10 & 11 Will. 3. c. 10. no wool, wool fells, shortlings, mortlings, wool flocks, yarn, cloth, serge, baize, kerries, says, frizes, druggets, shalloons, drapery, stuffs, or other woollen manufactures shall be exported out of *Ireland*, to any place but *England*, on forfeiture thereof and 500*l.* together with the ship; and the master or sailors knowing the same, or assisting therein, shall forfeit 50*l.*

Commander of any ship neglecting his duty, or conniving at the exportation of wool, shall forfeit all pay and wages due to him, be imprisoned six months, and incapable of office in the navy. *Ibid.*

None of the above articles in the *English* plantations in *America*, shall be exported under like penalties. *Ibid.*

By 3 Geo. 1. c. 21. one moiety of the forfeitures by the last act, shall be to the crown.

Actions in *Ireland* relating to exporting of wool, may be tried in the courts at *Dublin* by a jury of any county, and discoverers shall be exempted from the penalties. *Ibid.*

By 5 Geo. 1. c. 11. provisions in 1 Will. & Mar. Sess. 1. c. 32. for preventing the exportation of wool, shall extend to wool fells mortlings, shortlings, woollen, yarn, wool flocks, fuller's earth and clay, and tobacco-pipe clay.

Wool laid on shore near the sea, to be conveyed out of *Ireland* into foreign parts, shall be forfeited. *Ibid.*

By 12 Geo. 1. c. 34. workmen employed in the woollen manufactures, combining for advancing their wages, lessening their usual hours of work, or the like, may be committed for three months.

Persons retained as woolcombers, quitting service, before the time for which they were hired, shall be committed for the same time; and spoiling the work, shall pay double the value. *Ibid.*

Workmen in the woollen manufacture, shall be paid their wages in money; on pain of 10*l.* and the justices, on complaint, shall issue warrants for levying wages. *Ibid.*

Assaulting or hurting masters for not complying with combinations, is *felony* and transportation. *Ibid.*

The act extends to combers of *Jersey*, and to frame work knitters and makers of stockings.

By 13 Geo. 1. c. 23. warping bars and thrums used in mixing medley or white cloth, shall be of the measure and length only hereby appointed; on pain of 10*l.* the long warping bar to be three yards three inches, and no more, the round warping bar four yards and four inches; and the thrums at the end of warping bars shall not exceed eight inches in length.

All wool or other materials shall be given out by weight, at sixteen ounces to the pound; and no clothier shall use any ends by working them up again; on pain of 5*l.* *Ibid.*

Justices of peace may determine offences, and issue warrants to

search bars, weights, and convict end gatherers. *Ibid.*

Cloth makers shall pay the weavers according to the yards that the chains are laid on the warping bars; on pain of 5*l.* *Ibid.*

Tenters or racks for woollen broad cloth shall be measured and marked, thirty-seven inches to the yard; on pain of 5*l.* for each tenter unmarked; and the justices are to appoint inspectors, at their *Easter* sessions, to do this, who are to have 30*l.* *per ann.* which inspectors are to enter to search, measure and mark all cloths. *Ibid.*

Opposing the inspectors is a penalty of 10*l.* the inspector is to be sworn to do his duty, and acting against his oath, he forfeits 20*l.* *Ibid.*

Makers of the above cloths are to pay 2*d.* for every cloth, to be applied towards the salaries of the inspectors. *Ibid.*

By 5 *Geo. 2. c. 21.* the admiralty shall appoint three sixth rate ships, and eight armed sloops to cruise on the coasts of *Great Britain* and *Ireland*, to seize vessels having woollen manufactures on board.

Commanders may search vessels, and finding on board the goods prohibited, may carry the same into any port; the ship and goods shall be forfeited, and on condemnation, shall be sold publickly, to be applied one fourth to the commander, one fourth to the officers, one fourth to the mariners, and the other fourth to the king. *Ibid.*

By 12 *Geo. 2. c. 21.* woollen or bay yarn may be imported from *Ireland*, free.

No wool to be laid on board any ship or vessel in *Ireland*, but of the built of *Great Britain* or *Ireland*, and registered. *Ibid.*

Woollen manufactures exported, so slightly wrought, as to be reduced and used as wool again, to incur the forfeitures of exporting wool. *Ibid.*

No wool to be packed, but in *pack* cloth, marked *wool*, on forfeiture thereof. *Ibid.*

No wool to be exported, but upon notice given to the commissioners of the customs, security for landing it, license taken, and a certificate, on forfeiture of the goods, and ship. *Ibid.*

None but officers to enter informations of seizures of wool. *Ibid.*

Offering to bribe the officer to permit the exportation of wool, forfeits 300*l.* *Ibid.*

Persons resisting officers, in seizing wool, to be deemed felons, and transported for seven years. *Ibid.*

Insurers of wool to be landed in foreign parts, and insured, to forfeit 500*l.* *Ibid.*

By 13 *Geo. 2. c. 8.* manufacturers of woollen, embezzling materials, shall forfeit double the value, or be sent to the house of correction, and whipped for the first offence; a second four times the value, and receivers are subject to the same penalties.

By 15 *Geo. 2. c. 27.* search may be made for cloth stolen off tenters, and wool left to dry; woollen found on suspected persons to be accounted for before a justice of peace, or to forfeit treble value.

By

By 22 Geo. 2. c. 27. persons employed in manufactures of wool, convicted of reeling false or embezzling materials shall be committed and publickly whipped.

Persons convicted of receiving materials from workmen, to forfeit 20*l.* for the first offence, or be committed and whipped, and for every subsequent offence to forfeit 40*l.* *Ibid.*

By 26 Geo. 2. c. 11. wool may be exported from any port in Ireland into any port of *Great Britain*, under former restrictions.

By 29 Geo. 2. c. 33. and 30 Geo. 2. c. 12. justices at the *Michaelmas* sessions shall settle yearly the rates of labour in woollen manufactures; master not conforming, to forfeit 5*l.*

Masters paying manufacturers in any other manner than in money, forfeit 20*l.* *Ibid.*

Clothier not paying the weaver, within two days after delivery of the work, to forfeit 40*s.* *Ibid.*

By 32 Geo. 2. c. 34. no woollen manufactures of *France* may be imported by any *English* subject into any ports in the *Levant* seas.

By 14 Geo. 3. c. 25. any person employed in the woollen manufactures not returning all working tools, wool, yarn, chain, woof, or abb, delivered to be worked, to the employer or agent, or fraudulently steaming, damping, or watering the wool or yarn delivered, or taking off, cutting, or picking out list, sorrel, or other mark of any piece of cloth, shall be committed to the house of correction for one calendar month.

By 14 Geo. 3. c. 44. the 22 Geo. 2. c. 27. as to reeling false, or yarn short, is repealed, and in lieu thereof, for the first offence to forfeit 20*s.* for the second offence 5*l.* and for the third offence, to be imprisoned and whipped.

By 17 Geo. 3. c. 11. for preventing frauds in combing wool, worsted, yarn, and goods made from worsted in *Yorkshire*, *Lancashire*, and *Cheshire*, committee men are appointed eighteen for *Yorkshire*, and nine for the two other counties.

Rules for reeling worsted yarn, viz. a yard reel to contain thirty-six inches, and a two yard one seventy-two inches round; and each hank to contain seven raps or leas of eighty threads each. *Ibid.*

Two-pence in the shilling deducted out of the drawback on soap used in the woollen manufacture, as a fund to defray the expences of putting this act in execution. *Ibid.*

Tobacco-pipe clay may be exported to the sugar colonies in the *West-Indies*. 17 Geo. 3. c. 43.

By 20 Geo. 3. c. 55. so much of 13 & 14 Car. 2. c. 18. as restrains the conveying of wool, wool fells, mortlings, shortlings, woollen yarn, wool flocks, fuller's earth, fulling or tobacco-pipe clay only in the day time, and at the hours therein mentioned, repealed, but subject to the regulations of the acts concerning the same unrepealed.

By 21 Geo. 3. c. 37. putting on board a ship any machine, tool or utensil used in the woollen, cotton, linen or silk manufactory, or model thereof, the same may be seized by warrant, and if no satisfactory account is given, the party is to be bound over to the



assizes or sessions, and for want of bail shall be committed, and the penalty, on conviction, is 200*l.* and twelve months imprisonment, besides loss of the goods.

Customhouse officers may seize such machines, and captains taking them on board are subject to the same penalty, and if a man of war, the captain shall also forfeit his employment; and customhouse officers taking entries outwards of such machines, incur the like forfeiture, and also his employment. *Ibid.*

On information of such machines intended to be exported, they may be seized, and the person possessed, bound over as above, and on conviction, the same forfeiture and penalty, and twelve months imprisonment. *Ibid.*

This act had a clause declaratory that the same should not extend to wool cards of 4*s.* value per pair, nor to spinners cards of 1*s.* 6*d.* a pair, exported to America; but the 26 Geo. 3. c. 76. repealed the same.

## Marriages.

By 32 Hen. 8. c. 58. marriages not prohibited by God's law, duly solemnized, shall not be defeated.

By 6 & 7 W. 3. c. 6. and 7 & 8 W. 3. c. 35. any parson, vicar, or curate, who shall marry persons without license, or banns published, shall forfeit 100*l.* and be suspended for three years. And persons so married shall forfeit 10*l.* with costs, and the sexton or clerk assisting therein, 5*l.* with costs. Also 10 Ann. c. 19.

By 10 Ann. c. 19. the keeper of any prison permitting marriage to be solemnized by a parson who is a prisoner, without license or banns, shall forfeit 100*l.* and such parson shall be removed to the county gaol, in execution, for the penalty inflicted on him.

By 26 Geo. 2. c. 33. banns of matrimony shall be published according to the rubrick, the marriage shall be solemnized in one of the churches where the banns have been published.

Notice of the names and abode of the parties shall be given to the minister seven days before the publication of banns. *Ibid.*

No minister punishable for solemnizing marriage after banns published, without he have notice of parents or guardians dissent; but on such dissent publicly declared at the time of publication, the banns to be void. *Ibid.*

Licenses of marriage to be in the church or chapel only of such parish, where one of the parties shall have resided for four weeks before. *Ibid.*

The archbishop of Canterbury's right to grant special licenses, is reserved. *Ibid.*

Persons convicted of solemnizing matrimony without banns or license, or in any other place, without special license; guilty of felony, and to be transported for fourteen years, and the marriage null. *Ibid.*

Marriages by license, without consent of parents or guardians, where either of the parties, not being a widower or widow, shall be under age, null and void. *Ibid.*

Where the guardian or mother shall be insane, or beyond sea, or shall unreasonably withhold their consent, the parties may apply to the lord chancellor, whose order shall be effectual. *Ibid.*

No suit shall be in the ecclesiastical court to compel a marriage, by reason of any contract. *Ibid.*

Churchwardens shall provide proper books for register of marriages and banns, to be signed by the minister, to belong to the parish; and be kept for public use. *Ibid.*

All marriages to be in the presence of two witnesses, besides the minister, and to be registered and signed in the form directed in the act. *Ibid.*

Persons convicted of wilfully making a false entry, or forging any entry, forging any license, or destroying the register, felony without clergy. *Ibid.*

This act is not to extend to the marriages of any of the royal family, nor of quakers, or of Jews, or in Scotland, or beyond sea. *Ibid.*

By 21 Geo. 3. c. 53. all marriages solemnized before Aug. 1, 1781, in any church or public chapel in England, Wales, and Berwick on Tweed, since 26 Geo. 2. c. 33. shall be valid, and the clergyman indemnified, and the register shall be good evidence, but must be removed to the parish church within 20 days after Aug. 1, 1781.

## Marshallsea.

By 28 Ed. 1. c. 3. the steward and marshal shall not hold plea of freehold, debt, or covenant between the king's people; but only of trespass within the house or the verge, and contracts in the house of one of the king's house with another. And the coroner of the county shall join with the king's coroner of the household, in case of a man slain within the verge, and shall make fresh suit.

By 5 Ed. 3. c. 2. inquests before the steward and the marshal of the king's house shall be taken by men of the country thereabouts, and not by men of the king's house, except of contracts and trespasss between such, and by the same act, and also 10 Ed. 3. stat. 2. c. 3. writ of error lies to the king's bench.

By 9 Ric. 2. c. 5. priests taken in the marshalsea of the king's house, shall pay such fees as lay people pay reasonably.

By 13 Ric. 2. stat. 1. c. 3. the jurisdiction of the court of the steward and marshal of the king's house, shall not pass 12 miles from the king's dwelling.

By 2 Hen. 4. c. 23. the marshal or his officers taking more than lawful fees, shall lose their offices and pay treble damages, before the steward of the court. And they shall take no more than 4*d.* for a person coming in by capias, and if he be bailed, 2*d.* more; of the defendant that findeth bail to answer 2*d.*; for every commitment 4*d.* and for every one bailed for felony, 4*d.*

By 15 *Hen. 6. c. 1.* in suits before the marshal of the king's house, the defendant shall not be estopped by record of surety, to plead that the plaintiff or he are not of the king's house.

## Merchants.

By Mag. Chart. 9 *Hen. 3. c. 30.* all merchant strangers, if they were not openly prohibited before, shall safely come, go, stay, or pass through the realm, by the rightful customs; except in time of war, and then shall be well intreated, if our merchants be well intreated there. *The same also by 2 Ed. 3. c. 9. 14 Ed. 3. stat. 2. c. 2. and 5 Ric. 2. stat. 2. c. 1.*

By 9 *Ed. 3. c. 1.* all merchants, aliens or others, except enemies, may buy and sell without disturbance, and if disturbed in any franchise, and right is not done to them, the same shall be seized, and double damages forfeited to the merchant.

By 27 *Ed. 3. stat. 2. c. 13.* where the goods of a merchant, lost on the sea, are brought into this realm, on proof of his property, the same shall be delivered to him without other suit at the common law.

One merchant's goods shall not be seized for another's debt, but upon cause; merchants of other countries, if war arise, shall have 40 days by proclamation to sell their goods and depart. *Ibid. c. 17.*

No merchant shall lose his goods for the offence of his servant, *Ibid. c. 19.*

Merchants shall have present remedy for any grievances done to them, according to the *Law Merchant*, without being driven to sue at the common law; and double damages are given to the merchant stranger. *Ibid. c. 20.*

*Qu. If in force since the loss of the Staple.*

By 28 *Ed. 3. c. 13.* no foreigners ships charged with merchandize, shall be disturbed to come to any port of England, but such as the masters will of their free will arrive, and shall not be disturbed afterwards.

By 36 *Ed. 3. c. 7.* merchants aliens may prosecute their suits either at the staple or at the common law; and process of felonies within the staple shall be at the common law.

By 38 *Ed. 3. c. 2.* any merchant may use more sorts of merchandize than one; but *English* merchants shall not export wool, gold, or silver in plate or money.

By 2 *Ric. 2. stat. 1. c. 1.* merchants shall sell all manner of wines, and all other great wares, as cloth of gold and silver, silk, linen, cloth and canvas in gross; other things by retail as they please without disturbance.

By 14 *Ric. 2. c. 1.* every alien importing merchandizes shall find sureties, to buy other merchandize to the value of half the import. And merchant strangers repairing into England, shall be courteously and rightfully used. *c. 9.*



By 4 *Hen. 4. c. 15.* alien merchants shall bestow the money here that they have received, upon *English* merchandizes, to export, and shall not export any gold or silver.

By 5 *Hen. 4. c. 7.* alien merchants shall be used in this realm as *English* be in others, on pain of forfeiture of their goods and imprisonment; and hosts shall be appointed to merchants aliens. *c. 9.*

By 6 *Hen. 4. c. 4.* aliens shall not export merchandizes imported by aliens.

By 3 *Hen. 7. c. 8.* every merchant of *Ireland, Jersey or Guernsey*, that imports any merchandizes, shall employ the money here, or forfeit the value, and give security. *Qu. If in force?*

By 3 *Jac. 1. c. 6.* all the king's subjects may trade into and from *Spain, Portugal, and France*, notwithstanding any charter.

But by 4 *Jac. 1. c. 9.* this shall not dissolve the corporation of merchants adventurers of *Exeter*.

## Mesne.

By 13 *Ed. 1. c. 9.* where the mesne is bound to acquit the tenant, he shall have his writ of mesne, and on default the mesne shall be forejudged.

## Militia.

By 1 *Ed. 3. stat. 2. c. 5.* no one shall be compelled to arm or go out of his shire, without necessity and sudden invasion. And the king shall pay them. *c. 7.*

By 25 *Ed. 3. stat. 5. c. 8.* none shall be constrained to find men of arms, but by common assent of parliament.

By 26 *Geo. 3. c. 107.* the lieutenants of counties, appointed by the king, shall call out the militia yearly, and appoint deputies and officers, who are to rank as youngest of the same rank of officers liable to serve abroad.

Three deputy lieutenants may act when the lieutenant is out of the kingdom. Commissions shall not be revoked by the death of the grantor. And each county lieutenant shall have the chief command of the militia of his county, and shall appoint 20 deputies. *Ibid.*

Deputy lieutenants, except in *Cumberland, Huntingdon, Monmouth, Westmoreland, Ely, or Wales* must have 200 *l.* per ann. or be heir to 400 *l.*—colonel 1000 *l.* per ann. or heir to 2000 *l.* per ann.—lieutenant-colonel 600 *l.* per ann. or heir to 1200 *l.*—major or captain 200 *l.* per ann. or heir to 400 *l.* per ann. or the younger son of a person worth 600 *l.* per ann.—lieutenant 50 *l.* per ann. or 1000 *l.* personal estate, or real and personal value 2000 *l.* or heir to 100 *l.* per ann. or the son of a person worth 2000 *l.* personal estate, or 3000 *l.* real and personal—and an ensign 20 *l.* per ann. or 500 *l.* personal estate, or 1000 *l.* real and personal, or the son of a person having 50 *l.* per ann. or 1000 *l.* personal estate, or 1500 *l.* real and personal estate. *Ibid.*

A deputy

A deputy lieutenant, in the excepted counties, must have 150*l.* per ann. or be heir to 300*l.* per ann.—a colonel 600*l.* per ann. or heir to 1200*l.* per ann.—a lieutenant-colonel, or major-commandant, 400*l.* per ann. or heir to 800*l.* per ann.—a major or captain 150*l.* per ann. or heir to 300*l.* per ann.—a lieutenant 30*l.* per ann. or 600*l.* personal estate, or 1200*l.* real and personal estate, or heir to 60*l.* per ann. or a person having 1200*l.* personal estate, or 2400*l.* real and personal—and an ensign 20*l.* per ann. or 300*l.* personal estate, or 600*l.* real and personal, or heir to one having 30*l.* per ann. or 600*l.* personal estate, or 1200*l.* real and personal. *Ibid.*

Deputy lieutenants in *Essex* must have 150*l.* per ann. or be heirs to 300*l.* per ann.—a captain 100*l.* per ann. or heir to 200*l.* per ann. or son of one having 300*l.* per ann.—a lieutenant 30*l.* per ann. or personal estate of 600*l.* or son of one having 60*l.* per ann. or 1200*l.* personal estate—and an ensign 20*l.* per ann. or 300*l.* personal estate, or son of one having 30*l.* per ann. or 600*l.* personal estate. *Ibid.*

Cities and places that are counties within themselves are liable to this act; and every deputy lieutenant must have 150*l.* per ann. or a personal estate alone, or that with a real one of 3000*l.* amount; every field officer 300*l.* per ann. or a personal estate alone, or jointly with a real one of 5000*l.* amount—a captain 150*l.* per ann. or a personal estate alone, or jointly with a real one of 2500*l.*—a lieutenant 30*l.* per ann. or a personal estate alone of 750*l.*—and an ensign 20*l.* per ann. or a personal estate alone of 400*l.* *Ibid.*

Leases on lives of 300*l.* per ann. shall be deemed equal to a qualification as herein before specified of 100*l.* per ann. and so proportionally. *Ibid.*

Estates granted for 20 years, of an annual value equal to the value of the estates herein required for qualification, shall be deemed good. *Ibid.*

No commission superior to a lieutenant shall be granted till the qualification is delivered in; and commissions already granted shall be void, unless qualifications are delivered in before Jan. 1, 1787. *Ibid.*

Qualifications shall be inserted in the gazette; and lists shall be annually laid, by the secretary of state, before parliament, and deputy lieutenants and officers are to take the oaths within six months after appointment; and persons acting who are unqualified, or who have not delivered in their qualifications, forfeit 100*l.* but peers or their heirs apparent may act though not qualified. *Ibid.*

A proportion of officers who have served five years may, when the militia is not embodied, be dismissed, and others appointed; and inferior officers, when qualified, may serve in higher ranks. *Ibid.*

County lieutenants, and deputies, may appoint clerks for their meetings, and the following number of men shall be raised in each county respectively, viz.

For the county of Bedford	—	—	400
Berks	—	—	560
Bucks	—	—	560
Cambridge	—	—	480
			Chester

For the county of Chester and city	—	—	560
Cornwall	—	—	640
Cumberland	—	—	320
Derby	—	—	560
Devon and Exeter	—	—	1600
Dorset and Poole	—	—	640
Durham	—	—	400
Essex	—	—	960
Gloucester, city, and Bristol	—	—	960
Hereford	—	—	480
Hertford	—	—	560
Huntingdon	—	—	320
Kent and Canterbury	—	—	960
Lancaster	—	—	800
Leicester	—	—	560
Lincoln and city	—	—	1200
Middlesex (except the Tower Hamlets)	—	—	1600
Monmouth	—	—	240
Norfolk and Norwich	—	—	960
Northampton	—	—	640
Northumberland, Newcastle and Berwick	—	—	560
Nottingham and Town	—	—	480
Oxford	—	—	560
Rutland	—	—	120
Salop	—	—	640
Somerset	—	—	840
Southampton and Town	—	—	960
Stafford and Litchfield	—	—	560
Suffolk	—	—	960
Surrey	—	—	800
Sussex	—	—	800
Warwick and Coventry	—	—	640
Westmoreland	—	—	240
Worcester and city	—	—	560
Wilts	—	—	800
York and city	—	—	1240
<i>The North Riding</i>	—	—	720
<i>The East Riding and Kingston upon Hull</i>	—	—	400
For the county of Anglesea	—	—	80
Brecknock	—	—	160
Cardigan	—	—	120
Carmarthen and borough	—	—	200
Carmarvon	—	—	80
Denbigh	—	—	280
Flint	—	—	120
Glamorgan	—	—	360
Merioneth	—	—	80
Montgomery	—	—	240
Pembroke and Haverfordwest	—	—	160
Radnor	—	—	120
General			



General meetings of lieutenancy shall be held for every county on the last *Tuesday* before *Oz.* 24, every year; and the lieutenant with two deputy lieutenants (or in the lieutenant's absence) three deputy lieutenants may summon other general meetings of the lieutenancy, giving 14 days notice in the gazette.

Subdivision meeting which shall consist of two deputy lieutenants, shall be held; and any lieutenant or justice may act in any subdivision in the county. *Ibid.*

Clerk shall give notice of subdivision meetings to the deputy lieutenants and commanding officers, and of the days for receiving lists, balloting and inrolling, and of the militia men, and substitutes. *Ibid.*

When a sufficient number do not attend, another meeting shall be appointed within 14 days. *Ibid.*

Annual meetings to appoint subdivision meetings, and to require lists of persons liable to serve. Copies of lists to be affixed on the church door. Constables to verify the lists upon oath: and subdivision meetings are to amend lists, and make returns to the clerk of the general meetings. *Ibid.*

General meetings may alter the appointed subdivisions. *Ibid.*

Deputy lieutenants shall appoint what number of men shall serve for each parish, who are to be ballotted for, and sworn that they are protestants, and will serve five years unless discharged, and they are to be enrolled for five years. But may find substitutes, who are then to be enrolled and sworn. *Ibid.*

If the full number are not enrolled, a fresh ballot shall be taken, and one deputy may administer the oath. *Ibid.*

Persons chosen and not appearing forfeit 10*l.* and if the penalty be not paid, the person shall be compelled to serve. *Ibid.*

Peers of the realm, commissioned or non-commissioned officers, or private men in the army, commissioned officers serving four years in the militia, members of either university, clergymen, dissenting teachers, constables, or peace officers, articulated clerks, apprentices, seamen, persons employed in dock-yards, or at the Tower, *Woolwich* warren, or the king's gun wharfs, freemen of the watermens company, and poor men having more than one lawful child, are exempted. *Ibid.*

Lists for two places may be added together. New ones shall be made out when any are lost, and constables neglecting their duty are to be imprisoned one month, and forfeit 5*l.* or not less than 40*s.* *Ibid.*

Persons endeavouring to procure false returns, forfeit 50*l.* and persons giving in false names, 10*l.* Persons must serve though removed from the place where ballotted for; and the parish shall be deemed belonging to the county wherein the church is situate. *Ibid.*

Persons fraudulently bound apprentice, are liable to serve, and the master forfeits 10*l.* *Ibid.*

Two deputy lieutenants may provide substitutes for quakers, and levy the expence by distress; and justices may order payment of the costs of levying by distress, where quakers refuse to pay rates. *Ibid.*

Persons unfit to serve by reason of any infirmity, being under five feet four inches, and not possessed of 100*l.* when chosen, may be discharged by the deputy lieutenants; and persons becoming unfit to serve, may be discharged by the commanding officer; which discharge must be confirmed by two deputy lieutenants. *Ibid.*

Vacancies occasioned by death or otherwise, shall be filled up by a fresh ballot; and at subdivision meetings, men are to be balloted for in room of those whose term of service will expire *November 20* next ensuing. *Ibid.*

Half the price of volunteers shall be paid by the parish to persons chosen by ballot, who are not worth 500 *l.* Volunteers may be raised with the consent of the inhabitants, and a rate established for paying them bounties. *Ibid.*

Justices may determine disputes between servants enrolled as militia men, and their masters, respecting wages. *Ibid.*

Substitutes, who do not appear, shall return the bounty, and forfeit 20*s.* or be imprisoned fourteen days; and justices may order payment of bounty to substitutes, according to 20 *Geo. 3. c. 19. (Servants.) Ibid.*

When a regiment is out of its county, lists of men willing to continue to serve, after the expiration of their term, shall be transmitted by the commanding officer. *Ibid.*

Inlistment of a militia man into the standing army, shall be void. Militia men offering to inlist into other regiments, shall be imprisoned six months, and, if actually inlisted, shall serve in such regiment when dismissed from the militia. Persons so inlisting militia men shall forfeit 20*l.* and soldiers offering to serve as substitutes, are to forfeit 10 *l.* or be imprisoned three months. *Ibid.*

Persons ordering serjeants, or others of the militia, to beat up for volunteers, shall forfeit 10 *l.* and serjeants refusing to declare who gave them such orders, shall be imprisoned three months. *Ibid.*

Kolls signed at subdivision meetings, shall be transmitted to the general meeting. *Ibid.*

A state of the number of persons liable to serve, shall be transmitted annually to the privy council, who are to settle the quota for each place, and transmit the numbers to the county lieutenants. *Ibid.*

Penalties for refusing to serve, or find substitutes, shall be applied in providing substitutes, and the surplus shall be a part of the regimental stock. *Ibid.*

The militia in the counties shall be formed into regiments of not more than twelve, nor less than eight companies, of not more than eighty, nor less than sixty men, with one colonel, one lieutenant colonel, and one major, field officers; if under eight, and not less than five companies, the militia shall be formed into a battalion, with one lieutenant colonel, and one major only; and if under five, and not less than three companies, with one lieutenant colonel, or major only; and in each regiment or battalion, there shall be one captain, one lieutenant, and one ensign, to each company; but every

every battalion of five companies, or more, may have one company of grenadiers, or light infantry, with two lieutenants instead of one lieutenant, and one ensign; and every regiment of eight companies, or upwards, may in like manner have one company of grenadiers, and one of light infantry. *Ibid.*

Independant companies are to consist of not more than eighty, nor less than sixty men, with one captain, one lieutenant, and one ensign, and may be formed into battalions. *Ibid.*

County lieutenants may act and bear rank as colonels, though the bodies of men do not intitle their commanding officers to that rank. The senior officer in Great Britain shall be invested with the powers given to colonels; the rank of colonel may be given to lieutenant colonels commandant, of five years service. *Ibid.*

Where the numbers are sufficient to form six companies, but not a regiment, the lieutenant may appoint three qualified persons as colonel, lieutenant colonel, and major, with pay as lieutenant colonel, major, and captain only; and where they form four, but not six companies, he may appoint two as lieutenant colonel and major; but only one shall be paid above a captain, where there are no more than two companies, the eldest captain shall rank as major, with captains pay only. *Ibid.*

Lieutenants may be appointed captain lieutenants, where there are six companies in the regiment, adjutants shall be appointed from the army, or embodied militia. Rank in the army shall be preserved by adjutants, who may hold a subaltern's commission, though not qualified, and may have the brevet rank of captain, if he has served as a lieutenant five years. *Ibid.*

A paymaster may be appointed to a battalion of more than two companies: but the money necessary for a less number, shall be paid to the commanding officer. *Ibid.*

No adjutant, surgeon, clerk, or quarter master, shall be appointed captain of a company. *Ibid.*

Half-pay officers, serving as subalterns, are not to forfeit their pay, on being sworn, that they have no other allowance. *Ibid.*

When not in service, there shall be one serjeant and one corporal to every thirty men, and, when in service, the same to every twenty men, and, when not in service, there shall be one drummer to every company, with another for each flank company, and when in service, an additional drummer to every company drawn out; and the pay shall be to a serjeant 1 s. per day, a corporal 8 d. and a drummer 6 d. and they are to be cloathed, when not in service, once in two years. *Ibid.*

Serjeants, majors, and drum majors, shall be appointed: but no publican shall be capable of serving as a serjeant, corporal, or drummer; and a surplus of fifteen men, above the proportion of thirty to one corporal, shall intitle the battalion to an additional corporal. *Ibid.*

Commanding officers may discharge such serjeants, corporals, and drummers, and the captains may appoint successors. *Ibid.*

Extra



Extra drummers may be kept as musicians, but not at the expence of the public. *Ibid.*

Serjeants of *Chelsea* hospital may receive their allowance therefrom, together with their pay, and serjeants serving fifteen years, or corporals or drummers twenty years, may be recommended to the *Chelsea* pension. *Ibid.*

The militia shall be exercised for twenty-eight successive days annually, and be amenable to the mutiny acts. Notice of the time and place of exercise shall be affixed on the church doors ten days prior to the annual exercise. Lists of the men enrolled shall be sent to the respective commanding officers; from which lists two thirds of the compleat number shall be chosen by ballot, at the first meeting for exercise. The day after the ballot, the regiment shall be mustered, and vacancies by death or otherwise, shall be filled up by ballot at the first meeting. *Ibid.*

The men ballotted shall be exercised, and the remainder discharged from attendance; but the men so discharged are liable to military law, while they remain where the regiment is assembled, and shall appear on notice at any subsequent place of exercise; and persons not chosen by ballot, may serve for such as are. *Ibid.*

The magistrates may billet the militia. Militia men falling sick on the march, shall be relieved, and the expence shall be repaid by the county treasurer. *Ibid.*

Justices may grant warrants for impressing carriages for the militia on its march, and the rates to be paid for such carriages shall be 1 s. per mile for a waggon with five horses, or any wain with six oxen, or four oxen and two horses, and 9 d. per mile for a cart with four horses, and so in proportion. If the expence exceed the rates of carriage, the surplus shall be paid by the treasurer of the county. *Ibid.*

When the militia is called out to annual exercise, a state thereof shall be sent to the county lieutenant. Militia men absenting themselves, or not appearing during the annual exercise, and not taken up till after the exercise, shall forfeit 20 l. *Ibid.*

Another man shall be balloted for, if a deserter does not return in three months, and deserters shall serve their term, whenever taken up. *Ibid.*

Substitutes deserting, are liable to serve their full term, whenever taken up; and notice of apprehending deserters, shall be sent to the clerk of the subdivision. *Ibid.*

The muskets shall be marked M. and militia men selling, pawning, or losing, or not delivering up arms, clothes, or accoutrements, shall forfeit 3 l. or be imprisoned three months, and the buyer shall forfeit 5 l. or be imprisoned or whipped. *Ibid.*

Men may be put under stoppages not exceeding 6 d. per day to buy them necessaries. Adjutants, serjeants, corporals, and drummers, may be tried by a court martial, for offences committed when the militia is not embodied. Serjeants and corporals may be reduced to serve as privates. *Ibid.*

Arms, when not wanted, shall be kept in a place to be appointed by the commanding officer. One third part of the serjeants, corporals, and drummers, shall reside where the arms are kept, and monthly returns of such persons shall be sent to the county lieutenant. Serjeants, corporals, or drummers, absenting themselves without furloughs, shall be deemed deserters; and the adjutant shall not be absent without leave; and serjeant major shall act as adjutant in his absence. *Ibid.*

When information is received of the residence of a militia man not joining at the annual exercise, on certificate thereof to the adjutant or serjeant major of the regiment for the place where he resides, he may be apprehended by them, and conveyed to his regiment, to be dealt with according to this act. Deserters may be tried by a court martial. Gaolers refusing to receive deserters, shall forfeit 20 s. Serjeants employed in apprehending them, shall be billeted; and persons apprehending deserters, shall be paid 20 s. but if they conceal them, the penalty is 5 l. *Ibid.*

The king may order the militia to be embodied in cases of invasion, and commanded by general officers, and, while embodied, shall be subject to the articles of war, but are not to be ordered out of Great Britain. *Ibid.*

When the militia is called out, the king may issue a proclamation for the meeting of parliament in fourteen days; and when the militia is ordered to be called out, the county lieutenants shall issue orders accordingly. *Ibid.*

Militia officers shall not sit on the trial of officers of the other forces. An agent is to be appointed by the colonel, from whom he is to take security. When the militia is ordered out, the receiver general of the land-tax shall pay one guinea for the use of each man, and captains shall account with the men for the same. *Ibid.*

The bounties shall be paid when the terms of service are prolonged. *Ibid.*

Militia embodied, intitled to the same pay as the other forces. Non-commissioned officers, and others maimed in service, intitled to the benefit of Chelsea hospital; and the militia, when disembodied, shall be liable only to the orders they were before drawn out. *Ibid.*

The powers given to Northumberland, shall extend to Berwick upon Tweed, and their militia shall join that of Northumberland. *Ibid.*

The governor of the Isle of Wight shall appoint the officers for that militia, who are to be qualified like those for Wales, and shall be raised as, and deemed a part of the Southampton militia, to continue in the island, unless otherwise ordered by his majesty. *Ibid.*

Craile to be deemed part of the North Riding of Yorkshire, Maker of Cornwall, Workingham, of Berkshire, Filey, of the East Riding of Yorkshire, Threapwood, of Flint, and Stamford Baron, of Lincolnshire, and shall be subject to the authority of the lieutenants of those counties. *Ibid.*

Warden

Warden of the stannaries shall continue to array the tinnors of *Devon* and *Cornwall*. The lieutenants for *London* shall continue to list the train bands. The constable of the Tower shall appoint deputy lieutenants and officers for the Tower Hamlets, who are to act when the lieutenant of the Hamlets is out of the kingdom; and commissions shall not be vacated by the death of the lieutenant. The constable is to appoint a treasurer of the trophy money, who is to account for the same yearly, and no trophy money for a succeeding year shall be levied, till the account of the former year has been allowed. *Ibid.*

Warden of the Cinque Ports may act as county lieutenants may do. Militia of the ports shall remain separate from the militia of the counties, and may be called out, notwithstanding the pay advanced may not have been reimbursed. *Ibid.*

Churchwardens and overseers in *Kent* and *Suffex*, shall make returns of men liable to serve, and to have the authority hereby granted to constables in other places. *Ibid.*

Certified returns of the militia shall be annually sent to the clerks of the peace to be filed. Where no such return is received, the same is to be certified by the clerk of the peace. *Ibid.*

Five pounds per man, for the number to be raised, shall be assessed annually on places from whence no such returns are sent. No person who has served four years as an officer, shall bear any part of the said assessment; and the assessment shall be apportioned between counties, and cities being counties of themselves, according to the quota they bear towards the land-tax. *Ibid.*

Where there are no county rates, the assessment shall be raised as the poors rates are. *Ibid.*

Where a town lies in two counties, the money assessed shall be paid to the treasurer of the county wherein the church stands. *Ibid.*

If the assessment for a place where there are no county rates be not paid, it may be levied by the justices. *Ibid.*

The treasurer shall pay the assessment to the receiver of the land-tax for the county, who is to certify the receipt thereof to the treasury, and pay the money into the exchequer, and 2 *d.* in the pound may be allowed the receiver. *Ibid.*

County treasurer shall detain 1 *d.* in the pound of the money he receives; and shall pay a like sum to the high constables, on the money they are concerned in collecting. *Ibid.*

Clerks of the peace shall transmit copies of certified returns to the treasury, and certify omissions of justices to the solicitor of the treasury, who shall compel the levying of assessments. *Ibid.*

Neglect of duty in clerks of the peace, is a forfeiture of 100*l.* loss of office, and incapacitation, receivers general 200*l.* chief constables 50*l.* petty constables 20*l.* and the solicitor of the treasury 500*l.* *Ibid.*

Provisions of 24 *Geo. 2. c. 44.* respecting *justices of peace*, shall extend to county lieutenants. *Ibid.* (See page 354.)

Commissions in militia shall not vacate seats in parliament, nor are officers liable to serve as sheriffs. *Ibid.*



Voters are not punishable for absence while going to an election, *Ibid.*

Militia men are not liable to serve as peace officers. Married militia men may set up trades in any town, as *soldiers* may under 22 Geo. 2. c. 44. *Ibid.*

Penalties above 20 *l.* are recoverable, within six months, in the superior courts, under, before any magistrate and are to go, if not otherwise directed, to the clerks, to form part of the regimental stock. *Ibid.*

No order of county lieutenants shall be removed by certiorari. *Ibid.*

All former militia acts are repealed, except those relating to *London*; but not to annul commissions already granted under them, where the parties are legally qualified, and proceedings of meetings already held under former acts shall be valid. *Ibid.*

*For the pay and cloathing of the militia, see the acts which pass annually, for defraying the charge thereof.*

## Mines.

By 1 Will. & Mar. stat. 1. c. 30. no mine of copper, tin, iron, or lead, shall be a royal mine, although gold or silver may be extracted.

By 5 Will. & Mar. c. 6. persons having mines of copper, tin, iron, or lead, shall enjoy them, though claimed to be royal mines; but the king may have the ore, except in *Devon* and *Cornwall*, paying to the owners 16 *l.* per ton for copper ore, ore having tin in it 40 *s.* a ton, and lead 9 *l.* a ton. This does not affect the charters of the tanners in *Devon* or *Cornwall*, or the laws of the flannaries.

By 25 Geo. 2. c. 10. entering mines of black lead, with intent to steal, or hiring persons so to do, deemed felony, and the offenders to be committed, or transported for seven years.

## Monasteries.

By 27 Hen. 8. c. 28. all monasteries, priories and religious houses, not above the value of 200 *l.* a year were given to the king, who sold the lands at low rates to the gentry, and in 29 Hen. 8. the rest of the abbots having made voluntary surrenders of their houses to obtain favour of the king. the 31 Hen. 8. c. 13. was passed to confirm such surrenders, which compleated the dissolution.

By 32 Hen. 8. c. 20. the king and his heirs shall have all the franchises which were enjoyed by religious houses dissolved.

By 54 & 35 Hen. 8. c. 19. pensions and rents due to ecclesiastical persons from religious lands dissolved, shall be paid by the occupiers of the same, and recovered by ecclesiastical process, or at common law, as the cause may be determinable.

By

By 1 *Ed. 6. c. 14*: all chantries, colleges, and hospitals made to have continuance for ever, were given to the king and his heirs.

By 1 & 2 *Phil. & Mar. c. 8*. molesting any person of any abbey lands shall incur the danger of premunire.

# Money.

By *stat. de moneta 20 Ed. 1*. no person, on pain of forfeiture, shall receive or pay any other money than the coin of *England, Ireland, and Scotland*. No one shall import money into this country, but for his expences, and that he shew the same without concealment at the ports, on forfeiture of body and goods.

Money shall not be sent in bales on forfeiture thereof; 4*d.* in the pound to go to the finder, the rest to the king. He who finds money of other coin shall pierce the same, and false money shall be broken, and the possessor of such false or clipped money, if a suspicious person, shall be taken, till he find surety. *Ibid.*

By *stat. de falsa moneta 27 Ed. 1. stat. 3.* and 17 *Ed. 3.* importers of bad money shall forfeit life and goods.

By 9 *Ed. 3. stat. 2. c. 1*. no one shall export sterling, nor silver in plate, or gold and silver vessels, without license, on forfeiture thereof.

No false money shall be imported on forfeiture; but money, bullion or silver may be brought to the exchanges. *c. 2.*

No sterling halfpenny or farthing shall be molten on forfeiture thereof, and imprisonment. *c. 3.*

By 17 *Ed. 3.* sterling money shall not be exported; and searchers shall be appointed to see that none export sterling money or plate without license, nor import any false money and counterfeit sterling, they are to have a third of the forfeitures, but conniving at the offences shall be transported.

By 25 *Ed. 3. stat. 5. c. 12*. none but the king's exchangers shall have profit for such exchange, on forfeiture of the money so exchanged.

The money of gold and silver shall not be impaired in weight or alloy, but shall be in the ancient sterling. *c. 13.*

Plate shall be received into the king's mint by weight, and the money delivered out in the same manner. *c. 20.*

By 27 *Ed. 3. stat. 2. c. 14*. any one may receive in payment foreign money that is good, of gold and silver, but shall not be compelled thereto.

No money shall have common course but the king's coin; but merchants may import gold or silver in money or bullion to the king's exchangers, and export as much new money, but not old sterling. *Ibid.*

By 5 *Ric. 2. c. 2*. no one shall export gold or silver without the king's license.

By 14 *Ric. 2. c. 2*. for every exchange made by foreign merchants, they shall be bound to buy merchandizes of the staple.

By 17 Ric. 2. c. 1. no foreign coin shall be current in England in any manner of payment, but shall be brought to be coined, on forfeiture, fine and imprisonment.

*The 17 Ed. 4. c. 1. was made for the preventing of the exportation of gold and silver, and to the like effect as the foregoing statutes; but being only temporary, and long since expired; the editor presumes that the whole, or the greatest part of the recited acts are thereby, and by the loss of the staple become obsolete.*

By 3 Hen. 5. c. 6. & c. 7. and 5 Eliz. c. 11. clipping, washing, and filing of money shall be adjudged *treason*, and justices of assize may hear and determine offences of falsifying money.

By 9 Hen. 5. stat. 1. c. 11. none shall receive gold in payment, but by the king's weight.

By 1 Hen. 6. c. 1. the king's council may assign masters to make money, and exchanges shall be held where they deem necessary.

By 2 Hen. 6. c. 6. no gold or silver shall be exported but for paying the army, or ransoming of *English* prisoners, on forfeiture thereof; and merchants aliens shall be bound not to export the same.

The master of the mint shall keep his allay according to his indenture, and coin the money, the value of which shall be set rightfully by the king's assayer. *Ibid.* c. 12.

By 8 Hen. 6. c. 24. no merchant alien shall oblige any subject to make him payment in gold, nor refuse payment in silver, on pain of double value; and *Englishmen* shall not give them credit, on forfeiture of the goods sold.

By 4 Hen. 7. c. 2. all patents of offices belonging to the mint, with fees, shall be void.

By 19 Hen. 7. c. 5. persons shall receive the current gold and silver coin of this realm, for the sums they were coined for; but money clipped or diminished shall not be current in payment, but may be changed after the custom of the mint.

By 5 & 6 Ed. 6. c. 19. giving or receiving for money more than it is current for, shall forfeit the money, and suffer a year's imprisonment.

By 13 & 14 Car. 2. c. 31. none shall melt any current silver money of this realm, on forfeiture of the same, and also the double value, and *disfranchisement* if a freeman, or or if not, six months imprisonment.

By 18 Car. 2. c. 5. made perpetual by 9 Geo. 3. c. 25. every person bringing standard gold or silver to the mint, shall receive as much in coin, without charge for coinage, or undue preference.

There shall be no confiscation or restraint upon any gold or silver brought to the mint to be coined, on any embargo, or war. *Ibid.*

The treasury shall issue 3000 *l.* yearly out of the duties on *wines* to defray the expences of coining. *Ibid.*

By 6 & 7 Will. 3. c. 17. any person paying or receiving money for more than it was coined for, shall forfeit 10 *l.* for every 20 *s.* with costs.

Any person buying, selling, or possessing clippings or filings of the current coin of this kingdom shall forfeit the same, and 500 *l.* and be branded with an R. *Ibid.*



Persons apprehending and convicting coiners, clippers, and the like persons, upon the judge's certificate, shall have 40*l.* reward from the sheriff. *Ibid.*

Persons guilty of clipping and coining discovering two or more, shall be pardoned; and if an apprentice, shall be free. *Ibid.*

By 7 & 8 *Will.* 3. c. 10. guineas were reduced to 26*s.* By c. 19. of the same sessions to 22*s.* and in the year 1721 they were reduced to 21*s.*

By 8 *Will.* 3. c. 1. one or more mills may be employed for the coinage of gold; and the coinage of gold and silver shall be kept in distinct accounts.

By 8 & 9 *Will.* 3. c. 26. made perpetual by 7 *Ann.* c. 25. no smiths or other persons, except employed in the mint, shall make or mend any die or mould to stamp any current gold or silver coin, nor make any edging tools, nor coining, or cutting press or engine, nor have any such in their custody: offenders therein, both principal and accessory, shall be guilty of *high treason.* *Ibid.*

Persons conveying out of the mint any coining instrument, or concealing the same, are in like manner guilty of *high treason.* *Ibid.*

Persons marking the edges of counterfeit coin, are also guilty of *high treason.* *Ibid.*

Colouring or gilding any coin resembling the current coin, is likewise *high treason.* *Ibid.*

Coining instruments and engines, and all counterfeit money, seized and produced in evidence, shall afterwards be cut in pieces. *Ibid.*

Blanching copper for sale, or mixing it with silver, or buying or selling the same, or any malleable composition heavier than silver, and like gold, but worse than standard, or taking or putting off any counterfeit milled money, shall be *felony.* *Ibid.*

This act shall not make corruption of blood, or loss of dower. *Ibid.*

By 9 *Will.* 3. c. 2. no hammered silver coin shall be lawful or current in any payment.

By 9 & 10 *Will.* 3. c. 21. any person may cut or deface diminished or counterfeit money; the person tendering such money to bear the loss, *extended to the gold coin* by 13 *Geo.* 3. c. 71.

By 1 *Ann.* stat. 1. c. 9. offenders in making or mending instruments for coining, are to be prosecuted within six months after the offence.

By 4 & 5 *Ann.* c. 22. the lord treasurer may issue 500*l.* yearly out of the coinage duties, over and above the 3000*l.* in 18 *Car.* 2. c. 5. to defray the expences of coining. And by 7 *Ann.* c. 24. 1200*l.* a year more to support the mints in *Scotland*, and 400*l.* a year to defray the offences of prosecuting offenders in *England.*

By 4 *Geo.* 2. c. 12. made perpetual by 9 *Geo.* 3. c. 25. the treasury may issue what monies shall be necessary for defraying the expences of the mints in *England* and *Scotland*, (*out of the duties of customs*, by 27 *Geo.* 3. c. 13) so as they do not exceed 15,000*l.* in any one year.

By 15 *Geo.* 2. c. 28. colouring a *shilling* or *sixpence* to resemble a *guinea*, or *halfpence* to resemble a *shilling*, shall be *high treason.*

Uttering false money knowingly, six month's imprisonment; for the second offence, two years imprisonment; for the third offence, *felony* without clergy. *Ibid.*

Uttering false money twice within ten days, or having other false money in custody, to suffer a year's imprisonment, subsequent offence, felony without benefit of clergy. *Ibid.*

Coiners of copper money shall be imprisoned two years. *Ibid.*

By 11. Geo. 3. c. 40. counterfeiting copper halfpence or farthings, and receiving or paying such, felony.

A justice, on complaint on oath, may cause houses, to be searched for tools, and the same may be seized, defaced and destroyed as the justice shall direct. *Ibid.*

By 14 Geo. 3. c. 92. the warden of the mint, with the king's assay master shall make weights of a guinea and shilling respectively, and multiplies thereof to be confirmed by the king, and then deemed standard weights, and publicly described, and counterfeiting the same, 50*l.* penalty; but not to abridge the patent of 12 Jac. 1. to the founders company of London, if they have their weights fixed and marked according to this act.

## Monopolies.

By 21 Jac. 1. c. 3. all monopolies, grants and patents for the sole buying, selling, making or using of any thing within this realm are declared to be contrary to the laws of this realm, shall be void, and may be tried by the common law.

Party grieved by pretext of a monopoly shall recover treble damages and double costs; and he that delays an action grounded upon this statute, incurs a *præmunire*. *Ibid.*

This act is not to extend to patents for fourteen years, for the sole working or making any new invented manufacture; to the compounding forfeitures on any penal acts by the judges; to the customs of any city or town; to patents for printing, or the making of ordnance; to allum works: to the hoastmen of Newcastle upon Tyne; or to wine licenses. *Ibid.*

## Mortgages.

By 4 & 5 Will. & Mar. c. 16. a mortgagor not giving notice to the mortgagee of a prior judgment, statute, or recognizance, shall lose his equity of redemption, unless upon notice he discharges the same in six months.

Person mortgaging twice, without giving notice of the first mortgage, shall lose his equity of redemption. *Ibid.*

The under mortgagees may redeem any former mortgage. *Ibid.*

This shall not bar the widow of such mortgagor of right of dower, if she did not legally join in such mortgage. *Ibid.*

By 7 Geo. 2. c. 20. in actions concerning mortgages, or ejectments, no suit to foreclose being depending, the mortgagor's tender of principal, interest, and costs in court shall be deemed full satisfaction, and the court may compel the mortgagee to surrender.

On bills to foreclose, the court on defendant's request may proceed to a decree before a regular hearing. *Ibid.*

This is not to extend to cases where the right of redemption is controverted, or the money due not adjusted, or to prejudice any subsequent mortgage. *Ibid.*

## Mortmain.

By *Mag. Chart.* 9 *Hen.* 3. c. 36. it is declared to be unlawful to give lands to a religious house, and to retake the same, to hold of such house; and further, the gift shall be void, and on conviction the land shall accrue to the lord of the fee.

By 7 *Ed.* 1. *stat.* 2. where lands are alienated in mortmain to a religious person, the king, or other immediate lord, may enter within a year.

By 13 *Ed.* 1. c. 32. ecclesiastical persons debarred to obtain lands in mortmain by alienation, fraudulently obtaining them by default in a suit, it shall be enquired whether the demandant had right, and if not, the land shall accrue to the next lord, and in his default to the king.

If a religious house alien the lands, the king, or the founder, shall recover the same by *contra formam collationis*. *Ibid.* c. 41.

By *stat. quia emptores terrarum* 18 *Ed.* 1. *stat.* 1. c. 3. no feoffment in fee shall be made to assure lands in mortmain.

By 34 *Ed.* 1. *stat.* 3. the king will not grant license of mortmain without assent of the mesne lords.

By 18 *Ed.* 3. *stat.* 3. c. 3. ecclesiastical persons impeached for purchasing in mortmain, if they shew the king's license, and process of *ad quod damnum*, or fine made, shall go acquit, and if not, shall be received to make a convenient fine.

By 15 *Ric.* 2. c. 5. converting lands to a church yard, without license, is mortmain; conveying lands to corporations to the use of religious persons, is mortmain and forfeiture thereof.

By 23 *Hen.* 8. c. 10. feoffments and assurances of lands and tenements, for more than the term of twenty years, to churches or corporations shall be void as mortmain; and persons binding their heirs to continue such uses longer, all penalties shall be void.

But customs to devise in mortmain, in cities and towns are saved. *Ibid.*

By 7 & 8 *Will.* 3. c. 37. the king may grant license to alien or purchase in mortmain, and such lands shall not be subject to any forfeiture thereby.

By 9 *Geo.* 2. c. 36. no lands, or money to be laid out in lands, shall be given to any bodies politick for charitable uses, unless by indenture made twelve months before the death of the donor, and inrolled in chancery; nor any money in the stocks, unless transferred six months before his death.



This act is not to prejudice the two universities, or the colleges of *Eton, Winchester, or Westminster.* *Ibid.*

No such college shall hold more advowsons than shall be equal to one moiety of their fellows. *Ibid.*

## Mortuaries.

By 21 *Hen. 8. c. 6.* No mortuary is due where the goods at the time of the death were under ten marks; it shall be demanded in such places only where mortuaries have been used to be paid, at the rate of 3 *s.* 4 *d.* where the goods are under 30 *l.* 6 *s.* 8 *d.* under 40 *l.* and 10 *s.* for all above.

There shall be no mortuaries in *Wales, Calais, or Berwick*, but they may be taken by the bishops of *Bangor, St. David's, St. Asaph,* and the archdeacon of *Chester*, as heretofore accustomed; in places where mortuaries of less value have been accustomed, no more shall be taken. *Ibid.*

By 12 *Ann. stat. 2. c. 6.* no mortuary shall be payable to the bishops of *Bangor, Landaff, St. David's, and St. Asaph.*

By 28 *Geo. 2. c. 6.* mortuaries were taken away from the archdeaconry of *Chester.*

## Murder.

By 52 *Hen. 3. c. 25.* murder shall not be adjudged when it is found by misadventure; but where it is done with a felonious intent, and by 6 *Ed. 1. c. 9.* it shall be tried by the country; and if it be found *se defendendo*, or by misfortune, the king may take him to his grace.

By 3 *Hen. 7. c. 1.* A murderer indicted shall be arraigned presently. If any person be slain in the day, and the murderer escape, the township shall be amerced. Appeal of murder, if benefit of clergy be not had, lies within the year, notwithstanding acquittal or attainder. The coroner's fee on a body slain shall be 13 *s.* 4 *d.* and if he be remiss, he shall forfeit 5 *l.*

By 2 *Geo. 2. c. 21.* where any person is feloniously stricken or poisoned on the sea or out of *England*, and dies in *England*, or is stricken or poisoned in *England*, and dies on the sea, or out of *England*, the indictment of principal and accessaries shall be good in such county where either the death or stroke respectively happened.

By 25 *Geo. 2. c. 37.* murderers shall be executed the next day but one after sentence; their bodies shall be anatomized, and the sentence shall express the same.

## Naturalization.

**B**Y 25 *Ed. 3. stat. 2.* the king's children, wheresoever born are inheritable as natural born subjects; as also the children of *English* subjects born abroad.

By 7 *Jac. 1. c. 2.* no person shall be naturalized, who has not within a month before the bill exhibited, received the sacrament, and does not before the second reading of his bill take the oaths of allegiance and supremacy.

By 11 & 12 *Will. 3. c. 6.* the king's natural born subjects shall inherit as heirs to any premises, though their parents were born out of the king's allegiance.

By 7 *Ann. c. 5.* children of natural born subjects, born abroad, shall be deemed natural born subjects.

By 1 *Geo. 1. c. 4.* no person shall be naturalized, nor any bill received, without a clause inserted, disabling such person to be of the privy council, a member of parliament, or to hold any office of trust.

By 4 *Geo. 2. c. 21.* the naturalization of children of *English* parents born abroad, pursuant to 7 *Ann. c. 5.* shall not extend to the children of parents attainted of high treason, or in actual service of foreign princes in enmity with *England.* Also 20 *Geo. 2. c. 44.* 22 *Geo. 2. c. 45.* and 2 *Geo. 3. c. 25.*

By 13 *Geo. 2. c. 3.* foreign seamen serving on board men of war, or merchant ships, for two years, during time of war, on proclamation, shall be deemed natural born subjects.

No such person shall be enabled to be of the privy council. *Ibid.*

Foreigners living seven years in any of the *British* colonies shall be deemed natives, on taking the oaths, and quakers shall subscribe the declaration of fidelity. *Ibid.* and 20 *Geo. 2. c. 44.*

Each qualified person shall receive the sacrament, except quakers and Jews; but no such person shall be enabled to be of the privy council. *Ibid.*

Persons naturalized by this act, going out of his majesty's dominions for more than one year, shall lose the benefit thereof. *Ibid.*

By 25 *Geo. 2. c. 39.* none shall inherit to an alien ancestor, unless they were in being at the death of the ancestor who died seized.

If such descent be cast on a daughter, and the alien father has a son, the estate shall be divested, as at common law on the birth of a nearer heir. *Ibid.*

By 2 *Geo. 3. c. 25.* foreign protestants serving in the royal *American* regiment, or as engineers in *America*, for the space of two years, and qualifying themselves, shall be deemed natural born subjects, but incapable of being of the privy council.

By 13 *Geo. 3. c. 21.* all born out of the legiance of *Great Britain*, whose father by 4 *Geo. 2. c. 21.* was intitled to the rights of natural born subjects, shall be deemed such, but the provisions in

in 4 Geo. 2. not repealed, nor 5 Geo. 1. altered, nor any vested right defeated.

By 14 Geo. 3. c. 84. hereafter there shall be a clause in every naturalization bill, that the person naturalized is not to claim in any foreign country the immunities of a *British* subject, unless he reside in *Great Britain* seven years subsequent to the first day of the session wherein such bill passes, and not to be absent more than two months at a time.

## News.

By 3 Ed. 1. c. 34. 2 Ric. 2. stat. 1. c. 5. and 12 Ric. 2. c. 11. publishers of false news whereby discord or slander may arise between the king and the people, or his great men of the realm, shall be punished by imprisonment.

## Nisi prius.

By 27 Ed. 1. stat. 1. c. 4. inquests by *nisi prius* shall be taken before one of the justices of the court where the suit is commenced.

By 12 Ed. 2. stat. 1. c. 3. inquests touching plea of land, that require not great examination, shall be taken by *nisi prius*.

Justices of *nisi prius* shall record nonsuits and defaults, whereupon judgment shall be given. *Ibid.* c. 4.

By 2 Ed. 3. c. 16. *nisi prius* may be granted as well at the tenant's suit as at the demandant's.

By 14 Ed. 3. c. 16. *nisi prius* may be granted at the defendant's or plaintiff's suit, before a justice of another court than where the suit depends; justices of assize may give judgment upon assizes of *darrein presentment*, and *quare impedit*.

By 7 Ric. 2. c. 7. *nisi prius* may be granted at the request of any of the jurors, after the great distress returned.

By 2 Hen. 4. c. 7. if the verdict pass against the plaintiff, he shall not be nonsuit.

By 14 Hen. 6. c. 1. justices of *nisi prius* may give judgment as well where one is attainted of treason or felony as where he is acquitted.

By 18 Eliz. c. 12. issues laid in the county of *Middlesex* may be tried by *nisi prius* in *Westminster-hall*.

By 12 Geo. 1. c. 31. and 24 Geo. 2. c. 18. in the absence of the chiefs, any other judge of the court may try issues of *nisi prius* for *Middlesex*, in term, or within fourteen days after.

By 14 Geo. 2. c. 17. on plaintiff's neglect to bring on an issue to trial, the court may give judgment as in case of a nonsuit.

*Nonconformists.*



## Nonconformists.

By 17 *Car. 2. c. 2.* nonconformists teaching school, or taking boarders, shall forfeit 40*l.* for every offence.

By 22 *Car. 2. c. 1.* persons of the age of sixteen, being subjects, present at any conventicle, not conformable to the *English* liturgy, where there are five or more assembled, shall be fined 5*s.* for the first offence, and 10*s.* for the second; persons preaching there are to forfeit 20*l.* and suffering any such meeting in any house or yard is a like penalty of 20*l.*

Justices of peace, and constables, upon refusal, may break open doors; and lieutenants and officers of the militia, must disperse conventicles with horse or foot. *Ibid.*

No dwelling where any peer of the realm is then resident, shall be searched under this act, but by warrant with the king's sign manual. *Ibid.*

Constables or parish officers knowing of the above meetings and not informing the justices, shall forfeit 5*l.* and justices neglecting their duty, 100*l.* Prosecutions under this act to be within three months, and the penalties incurred on conviction by a married woman, cohabiting with her husband, shall be levied on the goods of such husband.

By 1 *Will. & Mar. Sess. 1. c. 18.* the several acts against nonconformists, except those made against popish *recusants* shall not extend to such protestant dissenters, as shall take the oaths of allegiance and supremacy, and subscribe the declaration of fidelity.

Assembly of dissenters in place of worship, with doors locked, shall receive no benefit of this act, but remain liable to the penalties of former acts. *Ibid.*

None are hereby exempted from payment of tythes, or other parochial duties. *Ibid.*

Dissenters chosen to parochial offices, who scruple as to the oaths, may execute the same by sufficient deputy, to be approved. *Ibid.*

Anabaptists, taking the oaths and subscribing the declaration shall have like privileges as dissenting ministers. *Ibid.*

Dissenting ministers, who have taken the oaths, and subscribed the declaration, are exempted from serving upon any jury, or any parochial office. *Ibid.*

Justices may require dissenters to take the oaths, and on refusal commit them till the quarter sessions, when on a refusal there, they shall be deemed popish recusants. *Ibid.*

After having refused they shall not be admitted to swear and subscribe until they prove themselves to be protestant dissenters, by the oaths of two, or the certificate of four protestants. *Ibid.*

Papists or persons denying the *Trinity* are to have no benefit under this act. *Ibid.*

Persons maliciously or contemptuously disturbing any church or meeting permitted by this act, in default of sureties, shall be imprisoned, and on conviction forfeit 20*l.* *Ibid.*

No

No congregation shall be allowed by this act, until the place is certified to the bishop of the diocese. *Ibid.*

By 10 *Ann. c. 2* any dissenter (not being a minister) who would have been intitled to the benefit of the act, if he had taken the oaths, may during a prosecution take the oaths, and have the benefit thereof.

A dissenting preacher qualified according to the act may officiate in any other county; but must produce, if required, a certificate of his qualification. *Ibid.*

By 5 *Geo. 1. c. 4.* mayor, or other magistrate, resorting to any conventicle, with the ensigns of such office, on conviction, shall be deemed incapable of any public office.

By 19 *Geo. 2. c. 38.* episcopal assemblies in Scotland shall be registered, and pray for the king; on parsons not producing certificate of being qualified, the same shall be shut up.

No orders of episcopal minister in Scotland sufficient, but by some bishop of the church of England or of Ireland. *Ibid.*

Peers of Scotland, &c. present at unregistered meeting houses are disqualified from voting, or being elected.

By 22 *Geo. 2. c. 30.* members of the *unitas fratrum*, shall be allowed to make a solemn affirmation, in lieu of an oath.

Members of such congregation, residing in America, being summoned to do any military service, shall be discharged thereof, upon payment of the rate assessed, producing a certificate from a bishop of that church. *Ibid.*

By 19 *Geo. 3. c. 44.* protestant dissenting ministers, who shall take the oaths and subscribe the declaration against popery required by 1 *Will. & Mar.* and shall also make and subscribe the declaration of protestantism in this act, shall be intitled to all the privileges granted by the toleration acts, and shall be exempted from serving in the militia, and from any punishment by virtue of the act of uniformity: and may instruct youth; but shall not hold the mastership of any college or school of royal foundation.

*See title quakers.*

## Northern Borders.

By 2 *Hen. 5. c. 5.* process of outlawry shall be issued against offenders dwelling in Tyndal and Hexamsbire, who commit any treasons or felonies out of those franchises, extended against like offenders in Ridesdale, by 9 *Hen. 5. c. 7.*

By 23 *Hen. 6. c. 7.* gathering of head pence by the sheriff of Northumberland, shall cease, on pain of 100*l.*

By 11 *Hen. 7. c. 9.* North and South Tyndale, and all lands within the same shall be guildable and parcel of the county of Northumberland, and no franchise, but all the king's writs shall be obeyed, and all lessees there, shall find sureties to be amenable.

By 2 & 3 *Ed. 6. c. 34.* the sheriff of Northumberland shall put in sureties in the exchequer for his account as other sheriffs do.

By

By 14 *Elix. c. 13.* *Hexam* and *Hexamshire*, with the liberties, shall be within the county of *Northumberland*.

By 13 & 14 *Car. 2. c. 22.* the sessions in *Northumberland* and *Cumberland*, may charge the inhabitants of *Northumberland* 500*l. per ann.* and of *Cumberland* 200*l. per ann.* to repel the violence of the *moss troopers*, the justices may appoint persons to command not more than thirty men (*taking security from them* 29 & 30 *Car. 2. c. 2.*) and persons in the border service conniving with the *moss troopers*, shall be incapacitated, fined, and imprisoned.

Persons employed in the border service, shall take the sacrament within three months 29 & 30 *Car. 2. c. 2.*

By 6 *Geo. 2. c. 37.* the acts for preventing theft and rapine upon the Northern borders of *England*, (see title *FELONY, Cumberland*) shall be deemed public acts; and by 31 *Geo. 2. c. 42.* be perpetual.

## Oaths.

BY 7 *Jac. 1. c. 6.* persons above the age of 18 shall take the oaths of allegiance, and if they refuse, the same being tendered by the justices of assize, they incur a *præmunire*.

By 1 *Will. & Mar. Sess. 1. c. 25.* military officers twenty miles distant from *London*, may take the oaths at the next muster.

By 7 & 8 *Will. 3. c. 24.* all persons practising the law in any court, shall take the oaths, on pain of *præmunire*.

Persons refusing to take the oaths, when lawfully tendered are liable to the penalties inflicted on popish recusants. *Ibid. c. 27.*

Penalties incurred for not taking the oaths, may be pardoned, under the great seal. *Ibid.*

Persons refusing to take the oaths, or being *quakers*, to subscribe the declaration of fidelity, shall not vote for members of parliament. *Ibid.*

By 13 *Will. 3. c. 6.* ecclesiastical persons, all persons admitted into any office civil or military, and practisers of the law in any court, shall take the oath of abjuration; on pain of being incapacitated, and if they exercise the same afterwards, they are, on conviction, to forfeit 500*l.*

The courts at *Westminster* may administer the oaths, and register the subscription thereto. *Ibid.* and 1 *Ann. c. 22.*

Persons forfeiting any office by neglect, may have a new grant thereof, on taking the oath. *Ibid.*

No peer or member of the house of commons shall vote or sit in either house, unless he take the oath; on pain of being disabled to hold any office, sue, become a guardian, executor or administrator, and likewise forfeiting 500*l.* *Ibid.* and 1 *Geo. 1. c. 13.*

This act does not vacate any office of inheritance; nor extend to constables or inferior officers. *Ibid.*

By 1 *Ann. c. 22.* persons are to take the oaths in the next term or at the next quarter sessions, after admission to any office or employment.



By 6 *Ann. c. 14.* justices may summon before them suspected persons, and tender them the oath, and certify the names of those who refuse, into the superior courts, upon which they shall be deemed popish recusants: but by *c. 33.* quakers may make their solemn declaration and affirmation instead of such oath.

By 8 *Ann. c. 15.* persons who have offices in *Scotland*, may take the oaths there, or at *Westminster* within three months after admittance.

Officers in *Scotland* who shall take the oaths at *Westminster*, must transmit a certificate from the courts there, to the courts in *Scotland*, within three months; on loss of office and 100*l.* *Ibid.*

Persons neglecting or refusing to take the oaths shall incur the penalties in 6 *Ann. c. 14.* but officers in *Scotland* may take the oath of fidelity before one of the judges of *England.* *Ibid.*

By 1 *Geo. 1. c. 13.* all officers civil or military in *Great Britain, Jersey, or Guernsey:* all ecclesiastical persons: and all schoolmasters, constables, and practisers in the law residing within thirty miles of *London*, shall take the oaths of *allegiance, abjuration, and supremacy*, and subscribe the same, within three months, in the courts at *Westminster*, or in the quarter sessions for the county where they reside.

Persons in *Scotland* shall in like manner take the oaths of *allegiance and abjuration*, and subscribe the assurance; and if they refuse to take the oath of *abjuration*, they shall be incapacitated to vote at elections. *Ibid.*

Heads of colleges in *Scotland* shall take the oaths; and all persons refusing the oaths shall be incapacitated. *Ibid.*

Officers acting without taking the oaths, shall be disabled to sue, or be a guardian, executor or administrator; and incapable of any legacy or gift; or voting at elections, and shall also forfeit 500*l.* *Ibid.*

Persons taking the oaths shall pay 2*s.* and a register shall be kept to enter their names. *Ibid.*

Two justices may tender the oaths to suspected persons, and certify the refusal to the next sessions, to be thence certified in the chancery, and persons refusing shall be adjudged popish recusants convict. *Ibid.*

Persons summoned by justices, and not appearing and taking the oaths, on certificate thereof read at sessions; shall be adjudged popish recusants convict. *Ibid.*

Heads of colleges in the universities not taking the oaths, and the person in whom the right of election is, not electing some proper person in the place, the king may nominate: and the king's bench may issue a mandamus to compel the admission of a person so named. *Ibid.*

Officer having forfeited may have his office again on taking the oaths. *Ibid.*

This act is not to extend to offices of inheritance, if a deputy be substituted who shall qualify, nor to tithingmen, churchwardens, overseers, surveyors of highways, or any private officers. *Ibid.*

Persons

Persons obliged to receive the sacrament by law, shall continue obliged. *Ibid.*

Popish recusants convict by this act, shall be discharged on taking the oaths. *Ibid.*

Seamen and soldiers shall not pay for the oaths. The act shall not extend to the office of lord great chamberlain. And the same abjuration shall be taken in *Ireland*. *Ibid.*

By 13 *Geo. 1. c. 29.* persons in the king's service beyond sea shall take the oaths within three months after their return, or otherwise be liable to the penalties.

By 2 *Geo. 2. c. 31.* persons admitted to offices shall take the oaths before the end of the next term, or quarter sessions after they were admitted; and persons beyond sea within four months after their return, together with the sacrament and declaration against transubstantiation where usual; otherwise they are liable to the pains in 1 *Geo. 1. c. 13.*

By 9 *Geo. 2. c. 26.* persons preferred to any office civil or military shall take the oaths, within six months after admission, or return from sea.

# Offices.

By 22 *Geo. 3. c. 76.* no office to be exercised in the plantations, shall be granted by patent for a longer term, than the grantee shall discharge his duty in person, and behave well.

The governor and council may remove officers absent, or who neglect their duty; allowing an appeal to the king in council: but they may grant leave of absence. *Ibid.*

Subsisting grants shall not be prejudiced by this act.

By 23 *Geo. 3. c. 50.* the paymaster in memorials to the treasury for money for army services, shall specify the sum, and for what services; and such monies shall be issued to the bank, and placed to the account of the paymaster general, only customary fees shall be paid at the exchequer or treasury.

The paymaster or his deputy, shall draw on the bank for all army services; who are not to pay the said money, unless for army services, and in pursuance of proper drafts. *Ibid.*

The paymaster in his first memorial to the treasury every month shall insert the balance of public money in the bank on his account; and on his death or removal the balance shall vest in his successor. *Ibid.*

The paymaster shall make up annual accounts of the ordinary and extraordinary services of the army beginning 25th of *December* and ending 24th of *December* following, to be transmitted to the auditor of the imprest. *Ibid.*

The paymaster shall keep an account with the bank, and persons forging his name are guilty of felony *without* clergy. *Ibid.*

Books of account in the paymaster's office, shall be held to belong to the same. No fees shall be taken in the paymaster's office for

for business done therein, on penalty of dismissal, and being incapacitated for three years; and agents are not to make stoppages for discharging fees of office, under the like penalty. *Ibid.*

Savings in the clothing of invalid companies shall be applied in the augmentation of the half pay of wounded officers; and the pensions of widows or children of such officers. *Ibid.*

This is not to deprive the paymaster of the usual allowances for himself, and for contingencies; nor to take away his power of removing officers employed in his office. *Ibid.*

All estimates, debentures and warrants shall be made out annually from *December 25*, the secretary at war shall form estimates of the several annual services under distinct heads, copies whereof shall be transmitted to the paymaster. *Ibid.*

The paymaster shall form his memorials to the treasury for monies appropriated for clothing, on *June 24*, and *December 24*, annually. *Ibid.*

This is not to alter the privileges or profits of colonels, lieutenant colonels, majors, or captains relative to clothing, or non-effective men. *Ibid.*

The secretary at war shall transmit to the paymaster's office an account of the effective officers and privates, regulars and embodied militia, in *Great Britain*, the paymaster may issue the usual allowances to agents monthly. *Ibid.*

The allowances to colonels of subsistence of non-effective men, shall be added to their pay. *Ibid.*

The secretary at war shall form an estimate of monies necessary for recruiting each regiment, and shall transmit it to the paymaster's office. *Ibid.*

Recruiting officers, every two months, shall transmit an abstract of the numbers recruited, to the adjutant general, and to the agent; on pain of trial by court martial, and being cashiered. *Ibid.*

The paymaster, on receiving a warrant under the king's sign manual, from the secretary at war, relative to repaying poundage deducted, shall issue his drafts for the same within fourteen days. *Ibid.*

The secretary at war shall form the several estimates of extra-expences, and shall transmit them to the pay-office. *Ibid.*

Certain annual allowances shall be made to captains of foot; viz. when the companies are seventy-six men 56*l.* 10*s.* under seventy-six and above fifty 47*l.* 7*s.* 6*d.* fifty men and under 38*l.* 5*s.* and to captains in the horse and dragoons likewise 38*l.* 5*s.* *Ibid.*

An annual allowance of 100*l.* shall be made to the captains of the regiment and independant companies of invalids when the men amount to seventy, and if under, 80*l.* *Ibid.*

An annual allowance of 120*l.* shall be made to paymasters and surgeons of the foot forces, in lieu of the usual stoppages made for their use, when the companies consist of fifty men; and when under, 70*l.* *Ibid.*



Certain annual allowances are to be made to paymasters, surgeons, and riding masters; of the horse and dragoons in lieu of grass money. *Ibid.*

The paymaster of every regiment shall transmit to the agent, every two months an account of subsistence actually paid them, and twice in every year shall transmit to the said agent the several accounts therein specified. *Ibid.*

Agents shall make up annual accounts of their respective regiments, and transmit the same to the secretary at war, and paymaster general; on forfeiture of 100*l.* But this is not to discharge agents from making up such other accounts, as the secretary at war may require. *Ibid.*

The act contains directions relative to mustering forces; and making out army debentures and clearing warrants. *Ibid.*

This act is not to extend to the horse guards or foot guards. *Ibid.*

By 25 Geo. 3. c. 31. the treasurer of the navy shall apply to the treasury for money as herein mentioned; which shall be issued to the bank, and placed to the account of the treasurer of the navy; and no extra fees are to be paid at the exchequer.

No money for navy services shall be issued from the treasury to the treasurer of the navy; but the treasurer shall draw on the bank for all navy services. *Ibid.*

The bank shall not pay the said monies, unless for navy services, and in pursuance of proper drafts; and on the death or removal of a treasurer, the balance in the bank, shall vest in his successor. *Ibid.*

The treasurer shall issue his drafts for all unsatisfied demands; and make up annual accounts of navy and victualling services, to be transmitted to the auditor of the imprest; in which account he shall insert all payments made to him in such year. *Ibid.*

The treasurer shall keep an account with the bank, and any person forging his name, to obtain money from the bank, shall suffer death as a felon. *Ibid.*

This is not to prevent the treasurer from issuing money to pay clerks at out-posts; and on the death or removal of the treasurer, the said clerks accounts shall be made up. *Ibid.*

The 27 Geo. 3. c. 35. appoints commissioners further to enquire into the fees, gratuities, perquisites, and emoluments, which are, or have been lately received in the several public offices; to examine into any abuses which may exist in the same; and to report such observations as shall occur to them, for the better conducting and managing the business transacted in the said offices; for which purposes they may take examinations on oath, and send for persons and papers. *In force till the end of the next sessions.*

## Officers.

By 12 Ric. 2. c. 2. justices and other officers shall not be made for gift, brocage, favour or affection, or upon sollicitation, but of the most lawful and sufficient men.

By 2 Hen. 6. c. 10. officers of courts shall appoint such ministers, as they will answer for at their peril.

By 5 & 6 Ed. 6. c. 16. no office that concerns the administration of justice, of the king's treasure, customs, keeping of fortresses, or the clerkship of any court of record, shall be bought or sold, or obtained by corrupt contract.

Such agreements shall be void, and the party disabled to hold or take the office. *Ibid.*

Not to extend to offices of inheritance, or keepers of forests, chases or parks. *Ibid.*

Acts done by such officer, before removal, shall be good. *Ibid.*

Not to extend to offices granted by the chief justices, or justices of assize. *Ibid.*

## Ordinary.

By 13 Ed. 1. c. 19. the *ordinary* shall be bound to pay the debts of an intestate as far as the goods extend, in such sort as executors.

By 25 Ed. 3. stat. 3. c. 9. indictment of ordinaries for extortion or oppression, must put in certain, in what thing, and of what, and in what manner.

## Outlawry.

By 5 Ed. 3. c. 12. where a plaintiff has recovered damages against one who is outlawed at the king's suit, no pardon shall be granted of his outlawry, except the chancellor be certified that the plaintiff is satisfied his damages: nor of outlawry before appearance, but on certificate that such person has yielded himself to prison.

The party defeating an outlawry pronounced, by reason of imprisonment at the time, shall yield himself to prison until such averment be tried. *Ibid.* c. 13.

By 18 Ed. 3. stat. 1. exponents shall be awarded against receivers of the king's money, exporters of wool uncustomed, conspirators, maintainers, rioters, and importers of false money. But not where a man is indicted of trespass, not against the peace. Stat. 2. c. 5.

By 25 Ed. 3. stat. 5. c. 17. exigent shall be awarded in debt, detainue, account, and taking of cattle, by capias, and process of exigent.

By

By 6 *Hen. 8. c. 4.* three proclamations shall be made to warn him that lives in one county, and is outlawed in another; and if no proclamation be awarded and returned, such outlawry shall be void, and all outlawries contrary to this act, shall be avoided by averment, without writ of error.

By 31 *Eliz. c. 3.* in every action personal wherein exigent shall be awarded, there shall be three proclamations, one in the open county court, another at the general quarter sessions, and another one month before the *quinta exactus*, at the church door of the town or parish.

Before any allowance of writ of error, for reversing outlawry for want of proclamation, the defendant shall put in bail, not only to appear, but to satisfy the condemnation. *Ibid.*

By 4 & 5 *Will. & Mar. c. 18.* outlawries in the king's bench (treason and felony only excepted) may be reversed by attorney, without bail, except where special bail is ordered by the court.

Persons taken upon *capias utlagatum* shall be discharged by the sheriff, upon an attorney's engagement to appear, unless special bail is required by the court, and then on sufficient sureties, and not otherwise. *Ibid.*

By 4 & 5 *Will. & Mar. c. 22.* made perpetual by 7 & 8 *Will. 3. c. 36.* upon an exigent in criminal matters, before judgment or conviction, proclamation shall issue according to 31 *Eliz. c. 3.* which shall be delivered to the sheriff three months before the return. (*See also Process.*)

## Oyer and Terminer.

By 13 *Ed. 1. c. 29.* a writ of trespass of oyer and terminer, shall not be granted before any justices, except justices of either bench, and in eyre, unless for an heinous trespass.

By 33 *Hen. 8. c. 23.* persons examined before the king's council, may be tried in any county for treasons, misprisions of treasons, and murders, by commission of oyer and terminer.

## Palaces.

By 28 *Hen. 8. c. 12.* the limits of the king's palace at *Westminster*, shall be from *Charing-cross* to *Westminster-hall*, and have such privileges as the king's ancient palaces.

By 33 *Hen. 8. c. 12.* murders, malicious strikings, and treasons, committed in the king's house, shall be tried before the lord great master, or lord steward, and in his absence before the treasurer and comptroller, and the steward of the *Marshalsea*, by verdict of the household servants.

Inquisitions upon the view of any person slain in the king's palace, shall be by the corener of the household. *Ibid.*



Persons found guilty of striking in the king's palace, whereby blood shall be shed, shall have judgment to have his right hand stricken off before the said lord steward. *Ibid.*

The limits and bounds of the king's house shall be within 200 feet of the standard of the outward gate. *Ibid.*

Not to extend to any nobleman striking any of his servants for correction in the palace. *Ibid.*

## Papists.

By 3 *Car. 1. c. 3.* he that goeth himself, or sends any other beyond the seas, to be trained up in popery, shall be disabled to sue, act as guardian, executor or administrator, shall be incapable of any legacy, gift, or office, and shall lose all his goods, and shall forfeit all his lands for life; but if he conforms to the church of *England* within six months after his return, the penalties are not incurred.

By 30 *Car. 2. stat. 2.* papists are disabled from sitting in either house of parliament, and every member must take the oaths of allegiance and supremacy, and subscribe the declaration against transubstantiation, the mass, &c.

Peers or members of the house of commons, coming into the presence or house of the king, without having taken the oaths, and made the declaration aforesaid, shall incur the penalties of this act, unless they take the oaths in chancery in the next term. *Ibid.*

If they offend herein, they shall be adjudged popish recusants convicted, and shall be disabled to sit in parliament, or do any act whatever, and also forfeit 500 *l.* *Ibid.*

The house of peers and commons may order their members to take the oaths; and if they do not, each peer neglecting shall, during that parliament, be disabled to vote; and the member of the house of commons shall in like manner be incapacitated, and a new writ issue to elect another representative. *Ibid.*

All parliamentary business shall cease while the oaths are taking. This act is not to prejudice any person coming into the king's presence, under license from the privy council; and taking the oaths in chancery, shall not restore any person to an office, till after one year, nor discharge the forfeiture of 500 *l.* *Ibid.*

By 1 *Will. & Mar. sess. 1. c. 9.* papists, or reputed papists, on tender of the declaration in the last act, refusing the same, shall forfeit as popish recusants convicted; and the justices shall certify all subscriptions and refusals into the king's bench or quarter sessions, and if the offenders refuse there, they shall be adjudged popish recusants convicted; but this does not extend to ambassadors servants.

By 1 *Will. & Mar. c. 15.* the said refusers shall keep no arms or ammunition, unless such as may be allowed for their defence by the quarter sessions; and two justices of peace may seize the same.

If they do not within ten days deliver up to the justices all arms and ammunition, they shall be imprisoned three months, forfeit the arms, and treble value. *Ibid.*

Persons

Persons concealing such arms, shall be imprisoned three months, and forfeit treble the value; but if they discover the same, they shall have the value thereof. *Ibid.*

Such refusers subscribing the declaration, shall be discharged from all disabilities. *Ibid.*

Papists refusing, having horses above 5 *l.* value, shall forfeit the same; and persons concealing such horses, shall be imprisoned three months, and forfeit treble their value. *Ibid.*

By 1 *Will. & Mar. c. 26.* persons refusing to repeat and subscribe the said declaration, are disabled to make any presentation, as if popish recusants convict, and the universities shall present; presenting contray to this act shall forfeit 500 *l.*

The universities are not to present a beneficed person; and if the presentee is absent above sixty days in a year, the benefice shall be void. *Ibid.*

Conformity discharges the disability of presentation. *Ibid.*

By 11 & 12 *Will. 3. c. 4.* persons taking up any popish bishop or priest, and convicting him of saying mass, shall have 100 *l.* reward from the sheriff within four months, on pain of 200 *l.* and costs, on the sheriff neglecting.

Popish bishop or priest saying mass, or keeping school, on conviction, shall be adjudged to perpetual imprisonment. *Ibid.*

Persons not taking the oaths in six months, after eighteen years of age, shall be incapable of inheriting any lands, and the next of kin, being a protestant, shall enjoy the same; but if he wastes the same, the party disabled shall have treble damages; nor shall any papist purchase lands. *Ibid.*

This does not extend to the popish priest of any ambassador. *Ibid.*

Persons convicted of sending a child beyond sea, to be educated in the Romish religion, shall forfeit 100 *l.* to him who shall discover and convict. And popish parents refusing to allow a protestant child maintenance, on complaint, the lord chancellor shall make order therein. *Ibid.* See 18 *Geo. 3. c. 60.* in page 470.

By 12 *Ann. stat. 2. c. 14.* every papist, and trustee for popish children, are disabled to present to any benefice, and presentation by them shall be void; and the chancellor and scholars of the universities shall present.

Bishops are to examine persons presented on oath before institution, whether the person presenting be the real patron, and made it in his own right, or whether he be not a trustee for a papist; and if the person refuses to be examined, the presentation shall be void. But this act extends not to *Scotland.* *Ibid.*

By 1 *Geo. 1. c. 55.* papists of full age, in default of taking the oaths in six months after they come into possession of any lands, shall register their names and lands, or forfeit the same; one third to the informer, and two thirds to the king.

Not to prejudice purchasers for valuable consideration, not knowing, nor creditors; nor shall the act extend to lessees at rack rent. *Ibid.*

By 3 *Geo. 1. c. 18.* prosecutions on the last act must be within two years ; and no lands shall pass from a papist by deed or will, unless enrolled at *Westminster*, or with a clerk of the peace within six months. And by 21 *Geo. 3. c. 51.* a deputy clerk of the peace may administer oaths relating to the execution of wills and deeds as his principal,

By 11 *Geo. 2. c. 17.* owners of estates, being papists, on conforming, and all protestants claiming under them, shall possess such estates free from the disabilities incurred by such owners, unless the persons intitled thereby, recover by judgment in some action commenced within six calendar months before such conforming.

Persons returning to the popish religion, shall not have any benefit hereby. *Ibid.*

Not to prejudice the right of any person intitled to any reversion, if pursued within twelve calendar months. *Ibid.*

Grants of any advowson, or right of presentation of any ecclesiastical living, by any papist, shall be void, unless made for a valuable consideration, to a protestant purchaser, and every devise of the same by a papist, shall be void. *Ibid.*

By 18 *Geo. 3. c. 60.* so much of 11 & 12 *Will. 3. c. 4.* as relates to the apprehending or prosecuting popish bishops, priests, or jesuits, or that subjects them, or papists keeping school, or educating or boarding youth in the realm, to perpetual imprisonment, or that disables papists to inherit, or take by devise or limitation, any estate, and gives the same to the next of kin, being a protestant, and so much of the same act as disables papists to purchase, and makes void all estates therein, *repealed.*

Persons claiming under titles not yet litigated, to enjoy, but not to affect any suit depending, nor to extend to those who shall not, in six months, or hereafter on coming of age, take the oath prescribed in this act, nor to popish bishops, priests, jesuits, or school masters, who shall not have taken the oath before apprehended or prosecuted. *Ibid.*

By 21 *Geo. 3. c. 51.* deputy clerks of the peace shall have the same power as principals, in administering oaths as to the execution of wills and deeds of papists, and the enrolment thereof.

## Pardon.

By 2 *Ed. 3. c. 2.* charters of pardon shall not be granted, but only where the king may do it by his oath ; that is to say, killing another in his own defence, or the like. *Also* 14 *Ed. 3. c. 15.*

By 27 *Ed. 3. stat. 1. c. 2.* in every pardon of felony, the suggestion shall be comprised, and, if found untrue, shall be disallowed.

By 13 *Rich. 2. stat. 2. c. 1.* no pardon of murder, treason, or rape, shall be allowed, unless the same be specified, and no pardon of treason or felony shall pass the chancery, without warrant of the privy seal.

By



By 5 *Hen. 4. c. 2.* he who procures pardon for an approver, who commits felony again, shall forfeit 100 *l.*

By 5 & 6 *Will. & Mar. c. 13.* on pardon pleaded of felony, the court may commit the party, until security given for their good behaviour for seven years.

Parliament.

By 7 *Ed. 1. stat. 1.* every man shall come peaceably without force and arms, to all parliaments and treaties.

By 4 *Ed. 3. c. 14.* a parliament shall be held every year once, and oftener, if need be. *Also 36 Ed. 3. c. 10.*

By 5 *Rich. 2. stat. 2. c. 4.* he that absents himself, and comes not at the summons to parliament, except reasonable and honest excuse, shall be amerced, and otherwise punished, as hath been used: and so of sheriff that is negligent in making returns of writs of parliament, or leaves out of the returns any cities or boroughs, which be bound, and of old time were wont to come to the parliament.

By 12 *Rich. 2. c. 12.* lords and spiritual persons, purchasing lands that were wont to be contributory to the expences of the knights of parliament, the same shall be contributory as before.

By 5 *Hen. 4. c. 6.* beating the servant of a knight of parliament, incurs double damages, with fine and ransom.

By 7 *Hen. 4. c. 15.* the day and place of parliament shall be proclaimed by the sheriff, the next county day after the writ received, and then all suitors shall proceed to election freely, and the names of the persons chosen knights of the shire, shall be written in an indenture tacked to the writ, which shall be the return.

By 11 *Hen. 4. c. 1.* justices of assize shall enquire of untrue returns by sheriffs, of knights of parliament, and if so found, the sheriff shall incur the penalty of 100 *l.* and the knights so unduly returned, shall lose their wages.

By 6 *Hen. 6. c. 4.* knights of the shire, and sheriffs against whom an inquest is found before the justices of assize of undue election, shall have their traverse to such inquests, and not be endangered, until they be duly convicted.

By 8 *Hen. 6. c. 7.* and 10 *Hen. 6. c. 2.* knights of the shire shall be chosen by people who have free lands to the value of 40 *s.* a year within the county, above all charges, and no other; he that has the greatest number of such, shall be returned; and the sheriff may examine every such chooser upon oath how much he may expend. The sheriff attainted by inquest of untrue return, shall forfeit 100 *l.* be imprisoned one year, and the knights shall lose their wages.

By 11 *Hen. 6. c. 11.* assaulting a lord spiritual or temporal, knight, citizen, or burghers, come to, or attending the parliament by the king's command, incurs double damages, and fine and ransom.

By 23 *Hen. 6. c. 11.* wages of knights of the shire, shall be assessed by the sheriff in the next county court, after the delivery of the writs by proclamation, and every hundred is assessable; but they are not to assess or levy more than due, on forfeiture of 20*l.*

Sheriff, on receipt of the writ, shall send precepts to the mayors, bailiffs, and other officers of cities and boroughs, to elect citizens, and return the same by indentures; the sheriff making untrue return, besides the penalty by former statute, shall forfeit 100*l.* to the person chosen and not returned, if sued for within three months, or in default to any person that will sue for the same. *Ibid.*

A mayor or bailiff making untrue returns shall, in like manner, forfeit 40*l.* *Ibid. c. 15.*

Sheriff making untrue return of knights of the shire, or no due election in convenient time, between the hour of eight and the hour of eleven before noon, shall forfeit 100*l.* on action of debt to the king, and also 100*l.* to him that will sue. *Ibid.*

By 6 *Hen. 8. c. 16.* members departing without license of the speaker, shall lose their wages.

By 33 *Hen. 8. c. 21.* the king's assent to acts of parliament, by his letters patent, shall be as sufficient as in person.

By 34 & 35 *Hen. 8. c. 13.* the county of *Chester* shall have two knights of the shire, and the city of *Chester* two burgesses for the parliament.

By 35 *Hen. 8. c. 11.* the sheriff shall levy the wages of the knights in every county in *Wales* and in *Monmouth*, and pay to every such knight within two months after delivery of the writ *de solutione feodi*, 4*s.* a day, on forfeiture of 20*l.* and to every citizen or burgess 2*s.* as accustomed.

By 1 *Jac. 1. c. 13.* if one in execution is set at liberty by privilege of parliament, after such privilege determined, the party may take a new execution; and no sheriff or bailiff shall be charged for delivering such privileged person out of execution. But this is not to restrain parliamentary censure on such as make or procure such arrest.

By 16 *Car. 2. c. 1.* and 6. *W. & M. c. 2.* parliaments shall not be intermitted above three years.

By 25 *Car. 2. c. 9.* the county palatine of *Durham* shall send two knights, and the city of *Durham* two burgesses to parliament; the knights shall be elected by the greater number of freeholders as in other counties; and the burgesses by the mayor, aldermen, and freemen of the said city.

By 2 *W. & M. stat. 1. c. 7.* the nomination of a member by any lord warden of the cinque ports, is declared to be void, and contrary to the freedom of elections.

By 5 & 6 *W. & M. c. 7.* no member of the house of commons shall be concerned in aids granted to the king, except commissioners of the treasury, customs, and excise.

Any collector or officer of excise endeavouring to persuade or dissuade any elector in giving his vote, shall forfeit 100*l.* and be disabled. *Ibid. c. 20.*

By 6 *W. & M. c. 2.* writs shall be issued for a new parliament within three years after the determination of any parliament; and no parliament shall continue longer than three years. *But by 1 Geo. 1. stat. 2. c. 38.* they shall continue *seven years*, unless sooner dissolved.

By 7 *W. 3. c. 4.* candidates, after the *teste* of the writ, or after such place becomes vacant, giving or promising any money or entertainment, to any person having a vote, or to any place, in order to be elected, shall be incapable to sit in parliament.

False returns of members are prohibited; and any return contrary to the last determination in the house of commons, shall be a false return. *Ibid. c. 7.*

Parties grieved by such false returns, may sue in any court at *Westminster*, and recover double damages and costs. *Ibid.*

The like remedy is given against an officer returning more persons than required. *Ibid.*

Contracts to procure false or double returns, shall be void; and whoever makes such shall forfeit 300*l.* and costs. *Ibid.*

The clerk of the crown shall enter every return and amendment; the book, or a copy, may be given in evidence; and if the clerk omits his duty, he shall forfeit 500*l.* and lose his office. *Ibid.*

Prosecutions on this act are to be within two years.

By 7 & 8 *W. 3. c. 15.* parliament shall sit for six months after the king's death, unless sooner dissolved.

When any new parliament is summoned, there shall be 40 days between the *teste* and return of the writ; the writs shall be issued out with all expedition, and delivered to the proper officer, who is to indorse the day when received, and make out the precept; precept shall be delivered in three days after receipt of the writ; officer shall indorse the day of receipt, and give four days notice of the time of election within eight days after. *Ibid. c. 25.*

Sheriffs and other officers shall not give or take any fee for making out of any such writ or precept. *Ibid.*

The county court shall be held at the usual place, and there proceed to election, unless it falls out within six days after receipt of the writ; the sheriff or other officer shall take the poll, if required, and appoint a number of clerks, who are to be sworn; and a person for each candidate shall inspect the clerks; and all freeholders shall be sworn. *Ibid.*

The county court shall not be adjourned, without consent of the candidates, until all the freeholders present shall be polled. *Ibid.*

A copy of the poll shall be delivered, if desired, on paying for the same; and sheriffs or other head officers wilfully offending against this act shall forfeit 500*l.* *Ibid.*

No one shall vote in election of members by reason of trust estate, or mortgage, unless such trustee or mortgagee be in actual possession; but the mortgagor or *cestuy que trust* in possession. All conveyances to multiply voices shall be void; and there shall be but one vote for one house. *Ibid.*



None under 21 years shall vote, or be elected members. *Ibid.*

County courts held for *York* by custom on *Mondays*, shall be called upon *Wednesday*. *Ibid.*

The sheriff of *Southampton* may adjourn the poll from *Wimborst* after every freeholder present is polled, to *Newport* in the isle of *Wight*. *Ibid.* and 25 *Geo.* 3. c. 84.

By 10 & 11 *W.* 3. c. 7. sheriffs and others shall, with convenient expedition, not exceeding fourteen days after any election, return the writ to the clerk of the crown in chancery, and pay the old fees of 4*s.* for a knight, and 2*s.* for a burgess,

Officer of the cinque ports shall be allowed six days from receipt of the writ, for the delivery of the precept. *Ibid.*

Officers not making returns according to this act, shall forfeit 500*l.* recoverable in the courts at *Westminster*. *Ibid.*

By 11 & 12 *W.* 3. c. 2. commissioners, comptrollers, and auditors of excise, shall be incapable of sitting in the house of commons.

By 12 & 13 *W.* 3. c. 3. actions and suits may be commenced against a peer or member of parliament, after the dissolution, and in the interval of parliament; and after such dissolution or prorogation, the court may give judgment.

But such peers or members of parliament are not to be arrested, though any person may have process or exhibit bills against them after dissolution or prorogation, and sequester their estates. *Ibid.*

Plaintiffs prevented from prosecution by privilege of parliament, shall not be barred by any statute of limitation. *Ibid.* And also 11 *Geo.* 2. c. 24.

No action against the king's immediate debtor shall be stayed by parliamentary privilege, but the person shall not be arrested. *Ibid.* And also 11 *Geo.* 2. c. 24.

By 12 & 13 *W.* 3. c. 10. commissioners of the customs are rendered incapable of sitting in the house of commons.

No commissioner or officer of the customs shall influence any election of members, on forfeiture of 100*l.* and disability. *Ibid.*

By 2 & 3 *Ann.* c. 18. actions may be prosecuted against any officer of the revenue, or any other place of public trust, for any misdemeanor, and no such action shall be stayed by privilege of parliament; so that the person be not subjected to imprisonment.

By 6 *Ann.* c. 7. parliament shall not be dissolved by the demise of the crown, but continue for six months after, it shall meet immediately after death, and in case there be no parliament, then the last preceding one shall meet; but the power of the crown to prorogue or dissolve is saved.

Persons having any new created office since 25th *Oct.* 1705, shall be incapable of being elected members of the house of commons. *Ibid.*

Accepting any office of profit while a member, the election shall be void; but he may be again elected. *Ibid.*

No office shall be executed by too many commissioners. But this act does not extend to officers in the navy or army. *Ibid.*

Persons hereby disabled, if returned as members, such election and return is void ; and if they sit in the house, they are to forfeit 500*l.* *Ibid.*

Persons refusing to take the oath of abjuration, or quaker to make affirmation, shall be incapable of voting for election of members. *Ibid.* c. 23.

By 9 *Ann.* c. 5. every knight of a shire shall have 600*l.* a year freehold, and every citizen 300*l.* a year ; and the return of any person who hath not such estate shall be void.

This act does not extend to the eldest son, or heir apparent of a peer, or person qualified to serve as a knight of a shire, nor to the universities. *Ibid.*

None shall be qualified by virtue of any mortgage, unless the mortgagee shall have been in possession seven years before the election. *Ibid.*

Every candidate, at the request of another candidate, or of two of the voters, shall take an oath that he has such estate, above reprises. *Ibid.*

By 10 *Ann.* c. 19. commissioners of the duties on soap, paper, stamps, and hackney coaches, shall not influence any electors, on pain of 100*l.*

All conveyances fraudulently made to qualify any person to vote (subject to conditions to defeat the same) shall be discharged of such conditions ; and all bonds for defeating such estate shall be void. Persons making such conveyances, or voting by colour thereof, shall for every such offence, forfeit 40*l.* *Ibid.* c. 23.

No person shall vote for a knight of a shire in right of lands, for which such person has not received the rents for one year before, unless such lands came to him by descent, marriage or will. *Ibid.*

Sheriffs and others shall enter the place of the elector's freehold and of his abode ; and the poll books shall be delivered, upon oath, to the clerk of the peace to be kept amongst the records. *Ibid.*

Sheriff of *Yorkshire*, and of *Chester* shall appoint seven tables for taking the poll. *Ibid.*

Quakers, upon their solemn affirmation, may be admitted to vote. *Ibid.*

By 1 *Geo.* 1. *stat.* 2. c. 56. no person having any pension from the crown, for any term of years, shall be capable of being a member of the house of commons ; and such person sitting in the house, shall forfeit 20*l.* a day.

By 2 *Geo.* 2. c. 24. electors of parliament men, if demanded, shall take an oath that they have not received any reward or place, or been promised one, and that they have not polled before. And sheriffs admitting any to poll, or persons polling without taking the oath, if demanded, shall forfeit 100*l.* with costs.

The sheriff, before he proceeds to take the poll, shall swear that he has not received or been promised any bribe, and that he will return the persons having the majority of legal votes. *Ibid.*

Such votes shall be deemed legal, which have been so declared by the last determination in the house of commons, which shall be final. *Ibid.*

Returning officer, or elector, taking oath or affirmation, falsely, shall incur the penalties of perjury, and all persons guilty of perjury shall be incapable of voting. *Ibid.*

Persons taking money or reward for their vote, or for forbearing to vote, shall forfeit 500*l.* and be disabled either to vote, or hold any office in future. *Ibid.*

Offenders who, within 12 months after the election, discover others, so that they be convicted, such person discovering, not having been before that time convicted, shall be indemnified. *Ibid.*

This act shall be read by the returning officer, after reading the writ, and at every *Easter* sessions. *Ibid.*

Returning officers for every wilful offence against this act, shall forfeit 50*l.* *Ibid.*

And prosecutions, on this act, shall be commenced without wilful delay, within two years. *Ibid.* And also 9 *Geo. 2. c. 38.*

By 8 *Geo. 2. c. 30.* on notice from the clerk of the crown of the election of a member of parliament, the secretary at war, on pain of being disabled, shall send orders for removing soldiers two miles from the place of election: but this is not to extend to *Westminster*, *Southwark*, or other place of royal residence, or to any fort, garrison, or to any officers or soldiers having a right to vote.

By 11 *Geo. 2. c. 24.* persons may sue members of parliament in the intervals of sessions; but members shall not be arrested; and the courts of great sessions in *Wales*, and sessions in counties palatine, may proceed against members as the courts at *Westminster*. *Ibid.*

By 13 *Geo. 2. c. 20.* freeholders voting for any city, being a county of itself, shall have such freehold a year before election.

By 15 *Geo. 2. c. 22.* no commissioner of the revenue in *Ireland*, no commissioner of the navy, nor deputies or clerks, are capable of being members of the house of commons.

By 16 *Geo. 2. c. 11.* freeholders in *Scotland* are to be entered in a roll.

No division of lands, unless proved by a retour prior to 16th *Sept.* 1681, allowed to multiply electors. *Ibid.*

The common clerk of each borough in *Scotland* shall sign the commission, and fix the seal of the borough. *Ibid.*

The 2 *Geo. 2. c. 4.* against bribery, is extended to elections of commissioners in *Scotland*. *Ibid.*

Writs for election of members in parliament in *Scotland*, shall be issued with as much expedition as may be, and severally delivered to the sheriffs. *Ibid.*

By 18 *Geo. 2. c. 18.* instead of the oath by 10 *Ann. c. 23.* another is appointed for freeholders.

So much of 10 *Ann. c. 23.* and 12 *Ann. stat. 1. c. 5.* as disables any person to vote for knights of shires in respect of lands not assessed: repealed. *Ibid.*

No person shall vote for knight of the shire in *England* or *Wales*, in right of any lands, which have not been assessed to the land tax, 12 calendar months next before such election. *Ibid.*



Exception for voting in right of chambers or offices ; duplicates of the land tax assessments to be kept among the records of the sessions, to be inspected, or copies taken. *Ibid.*

No person to vote for knight of a shire without having a freehold in the county of the clear yearly value of 40*s.* above 12 calendar months before, unless by descent, marriage, or devise, on penalty of 40*l.* *Ibid.*

No public tax to be deemed a charge on a freehold within the intention of this act. *Ibid.*

Booths to be erected at the expence of the candidates, proportioned to the hundreds, and not exceeding fifteen. *Ibid.*

No sheriff to adjourn county court after receipt of the writ, for longer than 16 days. *Ibid.*

Sheriff wilfully offending against this act, may be prosecuted by information. *Ibid.*

Every action or suit given by this act shall be commenced within nine months, and the statutes of jeofails are extended thereto. *Ibid.*

By 19 *Geo. 2. c. 28.* electors in any city that is a county of itself, claiming to vote in respect of freehold estate of 40*s.* a year, if required, shall take the oath or affirmation.

None shall vote for members in a city being a county of itself, in respect of freehold of 40*s.* yearly value, that has not been assessed to the land tax, twelve calendar months next before, except right of rents, seats belonging to offices, and the like. *Ibid.*

Sheriff of a city, that is a county of itself, to allow a check book for every poll book, to give public notice, and to proceed to election, within eight days after receipt of the writ. *Ibid.*

Sheriff wilfully offending against this act may be prosecuted in the king's bench. *Ibid.*

Suits to be commenced within nine months, and the statutes of jeofails are extended thereto. *Ibid.*

This act is not to extend to any city, being a county of itself, where the right of voting is in respect of *burgage* tenure, or does not require the freehold to be of the yearly value of 40*s.* except such provisions as are made for allowing cheque books, or notice of time and place of election. *Ibid.*

By 24 *Geo. 2. c. 24.* and 5 *Geo. 3. c. 27.* upon descent of the crown to a minor, the parliament then in being shall continue for three years, unless such successor shall be sooner of age, or the parliament be dissolved ; if no parliament in being, the preceding parliament shall sit for three years.

By 31 *Geo. 2. c. 14.* no person who holds estate by copy of court-roll, shall vote for knight of the shire, on forfeiture of 50*l.*

By 33 *Geo. 2. c. 20.* all members in future parliaments (not particularly excepted) before they act are to deliver in at the table, while the house is sitting, a signed schedule of their respective qualifications, to take and subscribe the oath thereto, which is to be administered by the house, and enrolled after the usual oaths of qualification.

Not to extend to the eldest son or heir apparent of any peer, or person qualified to serve as knight of a shire. *Ibid.*

By 3 Geo. 3. c. 15. none shall vote as freemen at elections of members, but such as have been admitted to their freedom twelve months before such election, on penalty of 100*l.*

Except persons intitled to their freedom by birth, marriage, or servitude. *Ibid.*

Antedating the admission of any freeman, is a penalty of 500*l.* *Ibid.*

Books and papers of admission of freemen shall be open to inspection. *Ibid.*

By 3 Geo. 3. c. 24. no person may vote in elections of knights of the shire, or for members of cities which are counties of themselves, in right of any annuity or rent charge, granted before June 1, 1763, unless a certificate be entered with the clerk of the peace, 12 months before such election, and a memorial be attested and registered.

By 10 Geo. 3. c. 16. made perpetual by 14 Geo. 3. c. 15. on complaint of an undue election, a precise time shall be fixed for considering thereof; the speaker shall give notice thereof (*to the parties and their agents* 11 Geo. 3. c. 42.) and order attendance, (*but not within 14 days after the commencement of the session or return* 11 Geo. 3. c. 42.) but the house may alter the time on like notice and order.

Serjeant at arms, before the reading of the order of the day, shall require the attendance of the members. At his return the house shall be counted, and if 100 members be not present they shall adjourn till 100 be present. *Ibid.*

In presence of 100 members, the petitioners shall be ordered to the bar; the names of the members shall be put into six boxes or glasses, and drawn alternately, and read by the speaker, till 49 be drawn. *Ibid.*

Voting members at the election, or complainants shall be set aside. All above 60 years old are excused, or those who have served on a select committee in the same session, unless the number who have not served be insufficient. *Ibid.*

Members excused shall not be deemed to have served. *Ibid.*

Members verifying other excuses, allegations to be entered; and if the house resolve that they are unable, are to be excused; instead of whom, others to be drawn to complete the number 49. The petitioners may name one, and sitting members another, who may for like causes be set aside, or excused, and others named. *Ibid.*

Then the door shall be opened, and the house may proceed on other business. Lists of the forty-nine to be then given to the parties, who, with the clerk, are to withdraw, and to strike off one alternately, till the number be reduced to thirteen. Clerk, within one hour, to deliver a list of them; and they with the nominees shall be sworn a select committee, the house to order them to meet in twenty-four hours. *Ibid.*

On withdrawing, the members not to depart till meeting of committee be fixed. *Ibid.*

Parties declaring that any member drawn is intended for a nominee, and member consenting thereto, he is to serve as such, and another shall be drawn to supply his place, but on neglect of nomination, deficiencies shall be supplied by lot ; leaving always fifteen as a select committee. *Ibid.*

Previous to taking petition into consideration, clerk to put the names of the members drawn into a box or parcel, and attest the same; speaker to seal the same, and attest the making up thereof in his presence. *Ibid.*

Names of members undrawn may be read by the clerk. Chairman to be elected out of members and to be chosen by lot; and in case of equality in election, member first drawn to have a casting voice. *Ibid.*

Select committee may send for persons, and papers, examine witnesses, and finally determine; the house thereupon to confirm, or alter the return; or issue a writ for a new election. *Ibid.*

Select committee not to adjourn for more than twenty-four hours, without leave. If house then sitting, business to be stayed, and motion made for further adjournment. *Ibid.*

Sunday or Christmas-day intervening not to be deemed included. *Ibid.*

A select committee man shall not be absent without leave, nor shall the committee sit till all who have not leave be met; on failure of meeting within one hour, a further adjournment shall be made, and chairman at next meeting shall report absentees, who are to be directed to attend next sitting; and censured or punished at discretion, unless absence proved unavoidable. *Ibid.*

If thirteen do not attend, committee to adjourn; if less for three days, then to be dissolved and another chosen and past proceedings to be void. *Ibid.*

Resolutions of the committee, other than determination of the complaint, may be reported, and the house may make order therein. *Ibid.*

Persons disobeying summons, or prevaricating, to be reported by the chairman. *Ibid.*

When committee choose to deliberate, the room to be cleared; questions to be determined by the majority, and the chairman to have the casting vote. *Ibid.*

No determination, unless thirteen be present; nor any member to vote, who has not attended every sitting. *Ibid.*

Oaths to be administered by the clerks, and the pains of perjury extended thereto. *Ibid.*

By 11 Geo. 3. c. 42. in amendment of the last act, on the day appointed for hearing complaints of undue elections, the house shall not proceed to other business previous to reading the order.

If on complaint of undue election, there shall be more than two parties or distinct interests, each party shall strike off a member from the forty-nine successively, until reduced to thirteen; and when the list is returned to the house, the thirteen members shall withdraw; and within one hour choose and report the names of two members; and

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in case such members shall be set aside, they shall choose others until two are chosen. *Ibid.*

Where the nominees are directed to be named, no member shall depart till the time of meeting of the select committee is fixed. *Ibid.*

By 10 Geo. 3. c. 50 plaintiffs in suits in courts of record, equity, admiralty, or ecclesiastical, may proceed against members, or their servants, or privileged persons, but shall not arrest members, and issues returned on a distringas may be sold, and obedience shall be given to the rules of the court. *This extends to Scotland.*

The 14 Geo. 3. c. 58 repealed. 1 Hen. 5. and 8, 10 & 23 Hen. 6. so far as relates to the residence of persons elected members, or of the electors.

By 15 Geo. 3. c. 36. the speaker shall not issue his warrant for a new election, unless the death was certified, so that notice may be given fourteen days before the meeting of parliament, nor where a petition was depending at the last prorogation or adjournment.

May issue his warrant on a member's becoming a peer the same as if he was dead. *Ibid.*

By 20 Geo. 3. c. 17. no person shall vote at any county election in England or Wales, who has not been assessed to the land tax for his qualification six months previous to the election; but this is not to extend to annuities or fee farm rents (duly registered) if issuing out of lands duly rated, or to persons intitled by descent, marriage settlement, devise, or promotion to a living or office in twelve months before, if the qualifications have been rated two years before.

Commissioners of the land tax shall deliver to assessors a printed form of an assessment, who are to make their assessments according thereto; a duplicate whereof is to be stuck up on the church door. Qualified persons, whose names are omitted, may appeal to the commissioners, who are to amend the assessments where defective, which is to be returned to the clerk of the peace at the next quarter sessions. *Ibid.*

Assessors neglecting to deliver assessments to the chief constable, or altering them after, shall forfeit 5*l.* and if the clerk of the peace do not receive the duplicates before the end of Michaelmas sessions, the court may fine the chief constables making default. *Ibid.*

If chief constables make oath that assessors neglected to deliver said duplicates to them, then the fines shall be levied on the said assessors, except they deliver the duplicates within ten days after notice: but if assessors within that time shall produce to the clerk of the peace the chief constable's receipt, then the fine shall be levied on the said chief constable. *Ibid.*

Fines shall be paid to the treasurer of the county. When assessments are not made, and returned to the clerk of the peace, justices may order them to be made and returned forthwith. *Ibid.*

Persons aggrieved may appeal to the quarter sessions, giving ten days notice who may give costs. *Ibid.*

Any person whose name, on appeal, shall appear to have been improperly left out of any assessment, shall be deemed to have been rated therein. *Ibid.*

Husbands of women intitled to dower out of the estates of their former husbands, may vote in respect thereof, although the said dower has not been set out by metes or bounds. *Ibid.*

Duplicates may be inspected. Clerk of the peace shall deliver signed copies of duplicates on demand, and being paid 6*d.* for every 300 words, which copies shall be deemed legal evidence. *Ibid.*

The clerk of the peace, or his deputy, shall attend at every election of a knight of the shire, with original duplicates, at the request of any candidate; such candidate to pay him 2*l.* 2*s.* for each day's attendance, and 1*s.* 6*d.* *per* mile for travelling charges. *Ibid.*

After issuing any writ for election of a county member, the clerk of the peace shall attend gratis from nine to three each day, where the records of the county are usually kept, to make copies or duplicates. *Ibid.*

Clerk of the peace, or his deputy, making default in the above particulars shall forfeit 500*l.* to be recovered with costs by action in two months by the party grieved, and on judgment and conviction shall forfeit his office, but prosecution by others shall be in twelve months. *Ibid.*

By 21 *Geo.* 3. *c.* 54. the right of election for the city of *Coventry* is declared to be in the freemen having served seven years apprenticeship, not receiving alms, being sworn and enrolled.

By 22 *Geo.* 3. *c.* 41. no commissioner or officer employed in collecting or managing the duties of excise, customs, stamps, salt, or houses, or windows, or any persons concerned in the post office, or in the conveying of mails, shall have any vote in the election of members of parliament; and persons who are disqualified by this act, voting, shall forfeit 100*l.*

This is not to extend to commissioners of the land tax, or persons acting under them, nor to offices held by letters patent for any estate of inheritance; nor to persons who shall resign their offices before *Aug.* 1. 1782. *Ibid.*

All persons holding contracts for the public service shall be incapable of being elected, or sitting in the house of commons. *Ibid.* *c.* 45.

Any member accepting a contract, his seat shall be void. But this act is not to extend to incorporated trading companies; nor to contracts devolving on persons by descent, marriage, or will, until after twelve months possession. *Ibid.*

If any person hereby disqualified shall be elected, such election shall be void, and disabled persons who shall sit in the house of commons after this session shall forfeit 500*l.* *per* day. *Ibid.*

A condition shall be inserted in all public contracts, that no member of the house of commons shall have any share thereof; and contractors who shall admit any member of the house of commons to any share of their contracts, shall forfeit 500*l.* *Ibid.*

By 24 *Geo.* 3. *c.* 26. the speaker shall issue his warrant during a recess, for making out writs for electing members in the room of those who shall die, or become peers of *Great Britain*, on receiving

a certificate of such vacancies, under the hands of two members, which certificates must be notified in the gazette.

The speaker may authorise not more than seven, nor less than three members of the house of commons, to execute the powers given to him by this act. *Ibid.*

When such number shall be reduced to less than three, a new appointment shall be made. *Ibid.*

Appointment shall be entered in the journals of the house, and published in the gazette. *Ibid.*

But such persons are only to act when there shall happen to be no speaker, or one that is out of the realm; and only while they are members of the house. *Ibid.*

The publisher of the gazette shall give proper receipts for every notice by him received. *Ibid.*

By 25 Geo. 3. c. 53. the commissioners for auditing the publick accounts shall be incapable of sitting in the house of commons.

By 25 Geo. 3. c. 84. every poll must commence, at the latest, the day after it is demanded, unless it be Sunday, and must not continue more than fifteen days. Return shall be made at the close of the poll, or the day after, unless a scrutiny is demanded; and then, if it is a general election, the return shall be made on or before the day on which the writ is returnable, or if the election is during a session or prorogation of parliament, within thirty days after the close of the poll.

Objections to voters on a scrutiny shall be decided alternately; and the poll shall be kept open seven hours daily. *Ibid.*

Within two days after receipt of the writ, proclamation shall be made of the election, which must begin between the tenth and sixteenth day after proclamation. *Ibid.*

Voters shall, if required, swear or affirm previous to polling, as to their names, places of abode, and that they are of age, and have not polled before. *Ibid.*

Returning officers may administer oaths during a scrutiny; and persons taking or suborning others to take a false oath, shall be liable to the pains inflicted by 5 Eliz. c. 9. and 2 Geo. 2. c. 25. (*perjury.*) *Ibid.*

This is not to extend to places where particular regulations have been enacted by statute. *Ibid.*

Where returns have not been duly made, a select committee may be appointed, conformable to 10 Geo. 3. c. 16. and 11 Geo. 3. c. 42. and notice of the meeting of committees shall be given to the petitioners and returning officers; and the regulations of such acts are extended to the present. *Ibid.*

When returning officers cannot be found, or do not appear at committees, other persons may be appointed to appear in their stead, and when more than one petition is presented, the house shall determine whether the returning officer is to strike off from the list of members drawn by lot. *Ibid.*

Returning officers are liable to prosecutions for offences against this act, and may be sued for neglecting to return persons duly elected;



electd; but actions must be commenced within one year after the offence, or six months after conclusion of proceedings in the house. *Ibid.*

By 26 *Geo.* 3. c. 100. any person voting as an inhabitant, paying scot and lot, who shall not have been so six months previous to the election, shall forfeit 20*l.* but this is not to extend to persons acquiring possession by descent, devise, or marriage; nor to persons claiming a right to vote under any other description than inhabitants paying scot and lot.

## Partition and Parceners.

By 6 *Ed.* 1. c. 6. where there are divers heirs, they shall all recover by a writ of mort d'ancestor.

By 31 *Hen.* 8. c. 1. joint tenants and tenants in common may be compelled to make partition, by writ *de participatione facienda*.

The joint tenants and tenants in common, and their heirs, after such partition, shall have aid of the others. *Ibid.*

By 32 *Hen.* 8. c. 32. such partition shall be made, though one has but an estate for life or years, and the other an estate of inheritance: and it shall not prejudice others than the parties thereto.

By 8 & 9 *Will.* 3. c. 31. perpetuated by 3 & 4 *Ann.* c. 18. after process of *pone*, or attachment returned on writ of partition, if the tenant do not enter an appearance within fifteen days, the court may proceed to give judgment by default, and award a writ to make partition.

If tenant shall in one year after judgment entered, or in case of infancy or other disability, within one year after removal thereof, shew good matter in bar of such petition, the court may set aside such judgment. *Ibid.*

No abatement shall be in suit for partition by plea, or death of tenant. *Ibid.*

The under-sheriff, in the absence of the sheriff, may execute the writ, and the lessees or tenants of lands so divided shall hold under former conditions. *Ibid.*

The sheriffs, and their deputies, or in their absence, all justices of peace shall give due attendance to the execution of the writ, on pain of 5*l.* to the demandant. *Ibid.*

## Patents.

By 17 *Ed.* 2. c. 15. advowsons do not pass by the king's grant of land, or a manor *with the appurtenances*, unless expressed, though it has been otherwise among other persons.

By 1 *Hen.* 4. c. 6. petition to the king for grant of lands, or any other profits, shall express the value thereof, and of what they have had before of the king's gift, otherwise the patents shall be repealed.

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By 18 *Hen. 6. c. 1.* the king's letters patent shall bear date the day of the delivery of the king's warrant to the chancellor.

By 6 *Hen. 8. c. 15.* where the king has made a grant to one during his pleasure, a second grant of the premises to another, without expressing that the king hath determined his pleasure, shall be void.

By 3 & 4 *Ed. 6. c. 4.* exemplification of the king's letters patents under the great seal, or so much thereof as is necessary, shall be of like force as the first letters patents. *The same also by 13 Eliz. c. 6.*

## Pauper Suits.

By 11 *Hen. 7. c. 12.* the chancellor and judges in courts of record shall assign at their discretion to poor suitors, counsel and attornies, to speed their suit, without reward.

By 23 *Hen. 8. c. 15.* suitors *in forma pauperis*, are not liable to costs on being nonsuit, but shall suffer other punishment, as the judges shall think reasonable.

By 2 *Geo. 2. c. 28.* a person imprisoned by *capias*, or information relating to the customs, on affidavit that he is not worth 5 *l.* besides wearing apparel, may be admitted on his petition to defend the same as a pauper.

## Pawning and Pawnbrokers.

By 24 *Geo. 2. c. 40.* retailers of spirituous liquors taking any pawn, forfeit 40 *s.*

By 30 *Geo. 2. c. 24.* persons pawning, exchanging, or disposing of goods without leave of the owner, shall forfeit 20 *s.* and on non-payment be committed for fourteen days to hard labour; and if not paid within that time, to be whipped, on application of the prosecutor.

Pawnbrokers are to make entry of goods pawned, and give a duplicate, if required, on penalty of 5 *l.* *Ibid.*

Pawnbrokers must allow satisfaction for damage done to goods by their default or neglect. *Ibid.*

Persons taking in pawn, linen or apparel intrusted to others to wash or mend, are to forfeit double the sum lent, and restore the goods *Ibid.*

Persons offering goods to sale, pawn, or exchange, not giving a good account of themselves, may be detained, and carried before a magistrate, who may commit the party, and all persons are indemnified for so doing. *Ibid.*

A justice, upon oath of the owner of goods unlawfully pawned, may issue a warrant to search the suspected house, and upon refusal of admittance, the officer may break open the door. Persons hindering such search, forfeit 5 *l.* and on non-payment are to be committed to hard labour. If the goods are found, they are to be restored to the owner. *Ibid.*

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Goods pawned for a sum not exceeding 10*l.* may be recovered within two years, on complaint before a justice. *Ibid.* But see 27 Geo. 3. c. 37.

Pawn unredeemed for two years is forfeited, and may be sold, subject to account for the overplus. *Ibid.*

By 32 Geo. 2. c. 24. pawnbrokers trading in gold or silver plate, are to take out an *excise* license, for which they are to pay 5*l.* (*For the new licenses, see title Stamps.*)

By 27 Geo. 3. c. 37. pawnbrokers are allowed to take the following rate for profit. *Viz.*

For every pledge not exceeding 2*s.* 6*d.* one halfpenny, for any time it shall remain in pawn, not exceeding one month, and the same for every other month, including the current month in which such pledge shall be redeemed, although such month shall not be expired.

For every pledge upon which there shall have been lent 5*s.* one penny; 7*s.* 6*d.* one penny halfpenny; 10*s.* two pence; 12*s.* 6*d.* two pence halfpenny; 15*s.* three pence; 17*s.* 6*d.* three pence halfpenny; and 1*l.* four pence.

The pawnbroker may take for any pledge above 2*s.* 6*d.* and not more than 10*l.* after the rate of 4*d.* for the loan of 20*s.* *per* month. *Ibid.*

But parties may redeem within seven days after the end of the first month, without paying any thing extra for the seven days, or within fourteen days, upon paying for one month and an half; but parties applying to redeem after the fourteen days must pay for the second month; and the like regulations are observable in every subsequent month when application shall be made to redeem. *Ibid.*

Pawns shall be entered in books, with a description of the goods, the money lent, the date, and the name and place of abode of the person pawning; and the pawnbrokers shall give to the person pawning a note describing the goods, the money lent, the date, the name and place of abode of the person pawning, with the name and place of abode of the pawnbroker; which note shall be given *gratis* if the sum lent is under 5*s.* but where the money lent is 5*s.* and under 10*s.* the pawnbroker may take an halfpenny for the same; for 10*s.* and under 20*s.* one penny; 20*s.* and under 5*l.* two pence; 5*l.* or more, fourpence; upon the production of which notes the pawnbroker shall deliver up the goods pawned. *Ibid.*

Persons unlawfully pawning goods, not being authorised by the owner, shall forfeit 20*s.* and the full value of the goods, and on default of payment, may be committed to hard labour for not more than three, nor less than one month; and if the penalties are not paid within three days before the expiration of the imprisonment, the party may upon the application of the prosecutor be whipped; the penalties go to the party injured; but if he will not accept the same, to the poor. *Ibid.*

Persons forging, or counterfeiting notes, or not giving an account of themselves, on offering to pawn or redeem goods, may be seized and carried before a justice, who, on conviction, may send the of-



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fender to the house of correction for not more than three, nor less than one month. *Ibid.*

Where goods are unlawfully pawned, the pawnbroker shall restore them; the party may have a search warrant, and if found, the justice may direct them to be restored. *Ibid.*

Where a pawnbroker will not deliver up goods to the pawner upon production of the note, and tender of the principal and interest within a year, the justice may upon proof thereof convict the pawnbroker, and send him to prison without bail, there to remain till he deliver up the goods, or make such compensation as the justice thinks fit. *Ibid.*

Persons producing notes or memorandums shall be deemed the owners; and where notes or memorandums are lost, the pawnbroker shall deliver a copy, with the form of an affidavit, according to the case, taking for such copy and form of an affidavit, where the goods pawned are under 10s. one penny; and if above, according to the rates payable for the original notes: which affidavit being made before a justice, shall authenticate the same, and the pawnbroker shall thereupon permit the pawner to redeem. *Ibid.*

Pawned goods shall be deemed forfeited at the end of one year, and shall be sold by publick auction, where the goods are pawned for more than 10s. and not above 10*l.* and the auctioneer shall expose the same to view, publish catalogues, and advertise the time and place of sale, with the name of the pawnbroker, in some newspaper, two days before the sale; but on notice in writing from persons having goods in pledge, not to sell, three months further shall be allowed beyond the year for redemption. *Ibid.*

An account of sales shall be entered by the pawnbrokers in a book, and the overplus paid to the owner of the goods pawned or sold. *Ibid.*

Pawnbrokers shall not purchase, or agree to purchase any goods whilst they are in their custody, in pledge, except at auction; nor shall they take pawns from persons appearing to be under twelve years of age, or intoxicated with liquor; nor shall they purchase, or take in pawn, the notes of other pawnbrokers; nor shall they buy any goods before eight in the forenoon, or after seven in the evening; nor receive pawns before eight in the forenoon, or after nine in the evening, between *Michaelmas* and *Ladyday*, or before seven in the morning or after ten in the evening during the remainder of the year, *Saturday* evenings, and the evenings preceding good *Friday*, and *Christmas* day excepted. *Ibid.*

Pawnbrokers shall place in view the table of profits, and the price of notes. *Ibid.*

Disputes between pawnbrokers and pawners shall be finally settled before a justice of peace. *Ibid.*

Pawnbrokers names and business shall be placed over the door, on penalty of 10*l.* for every shop so used for one week without, to be levied by distress and sale, and in default thereof, the party may be imprisoned for not more than three months, nor less than one. *Ibid.*

Pawnbrokers selling goods before the limited time, or injuring them, shall make such satisfaction as the justice shall award. *Ibid.*

Pawn-

Pawnbrokers shall produce their books when necessary; on penalty of 10*l.* and pawnbrokers offending against this act, in neglecting to keep books, or make entries, shall forfeit 10*l.* and for every other offence, where no forfeiture is provided, the sum of 5*l.* *Ibid.*

All forfeitures are to be recovered before any justice, so that prosecutions be commenced within twelve months. *Ibid.*

Churchwardens may prosecute, and any inhabitant may be a witness. *Ibid.*

This act is not to extend to persons lending money at 5*l.* per cent. without further profit. *Ibid.*

Justices are not to have any fees or gratuities for acting under this act. It extends to the executors and administrators of pawnbrokers, and is to be in force for one year only from the 1st of June 1787.

## Perjury.

By 5 *Eliz. c. 9.* procuring any witness to commit wilful perjury shall forfeit 40*l.* and not having to that value, shall suffer imprisonment and the pillory.

Persons attainted thereof shall be disabled to be a witness. *Ibid.*

Persons convicted of perjury, shall forfeit 20*l.* be imprisoned six months, and rendered incapable of giving evidence in any court of record. *Ibid.*

Such offender not having effects to the value of 20*l.* shall be set on the pillory for one hour, and there have both his ears nailed. *Ibid.*

Persons aggrieved by judgment of perjury, upon reversal thereof, shall recover damages. *Ibid.*

Half the penalties are to go to the crown, and half to the informer. *Ibid.*

This act does not extend to any ecclesiastical court punishing of offenders, nor to the power of punishing offenders by the judges, so that they do not inflict less than is hereby directed. *Ibid.*

By 2 *Geo. 2. c. 25.* made perpetual by 9 *Geo. 2. c. 18.* beside the punishment already by law for perjury, or subornation; the court may order the person convicted thereof, to the house of correction, or to be transported for seven years; and if found at large within the term, it is felony without clergy.

By 23 *Geo. 2. c. 11.* in all informations or indictments for perjury or subornation thereof, it shall be sufficient to set forth the substance of the offence, without setting forth the bill, answer, or instrument upon which it arises.

Justices of assize, nisi prius, and gaol delivery, may direct prosecutions against persons examined before them being guilty of perjury, and may assign the prosecutor counsel. *Ibid.*

The prosecution is to be carried on without fees, and the clerk of assize shall give the prosecutor a certificate of the judge's direction. *Ibid.*

## Petitions.

By 14 *Ed. 3. stat. 1. c. 14.* he that prays aid of the king shall have but four writs of search.

By 13 *Car. 2. c. 5.* no person shall procure above twenty hands to any petition to the king or parliament for alteration in church or state, unless by order of three or more justices of peace, or the grand jury; nor deliver such petition with above ten persons, under the penalty of 100*l.* and three months imprisonment,

## Pillory.

Every pillory or stretch neck must be of convenient strength so that execution may be done upon offenders without peril of their bodies. *An ordinance for bakers of uncertain time.*

## Piracy.

By 27 *Hen. 8. c. 4.* and 28 *Hen. 8. c. 15.* offences committed where the admiral has jurisdiction shall be tried in such places, as limited by the king's commission by the oaths of twelve men before four of the commissioners, and the like judgment shall be for treasons, robberies, felonies, murders and confederacies done upon the sea, as for such offences committed on land. But 28 *Hen. 8.* does not extend to taking of things that may be spared, upon necessity, and paying for the same.

By 11 & 12 *Will. 3. c. 7.* made perpetual by 6 *Geo. 1. c. 19.* piracies, felonies and offences committed upon the seas, or in any haven, river or creek where the admiral has jurisdiction, may be tried, at sea, or upon the land; in any of his majesty's dominions abroad, appointed for that purpose by commission; and commissioners may call a court of admiralty, and proceed according to the course of the admiralty, give sentence, and award execution, the court consisting of seven persons,

King's subjects committing piracy on others of the king's subjects, by commission from any foreign prince, shall be adjudged pirates, and suffer death. *I.ii.*

Commanders and mariners defending their ship against pirates shall have a reward from the owners, not exceeding 2*l. per cent.* and the discoverer of any combination for the seizing or destroying of any ship of 100 tons burthen or under shall have a reward of 10*l.* and for ships above that burthen 15*l.* to be paid him by the commander at the first port. *Ibid.*



The commissioners may try the aforesaid crime (*see title FELONY, Accessories and Piracy*) in all the colonies in *America*, and the governors shall be assisting, and deliver up all pirates, or otherwise forfeit their charters. *Ibid.*

Seamen deserting merchant ships shall lose their wages; and masters forcing seamen on shore, or refusing to bring them home shall be imprisoned three months.

By 4 *Geo. 1. c. 11.* pirates under the last act may be tried according to 28 *Hen. 8. c. 15.* and shall have no benefit of clergy.

By 8 *Geo. 1. c. 24.* commanders of ships or others trading or corresponding with pirates, or furnishing them with stores, shall be adjudged guilty of piracy; and persons belonging to any vessel, forcibly boarding any merchant ship, and throwing any goods overboard, shall be punished as pirates.

Ships fitted out to trade with pirates are forfeited. *Ibid.*

Persons by 11 & 12 *Will. 3. c. 7.* declared accessories to piracy, shall be deemed principals. *Ibid.*

No pirates shall have benefit of clergy. *Ibid.*

Seamen maimed in fight against pirates shall have the rewards, and be also admitted into *Greenwich* hospital. *Ibid.*

Commanders not defending the ship, or dispiriting the men, shall forfeit their wages, and be imprisoned six months, if the ship is taken. *Ibid.*

No master of any vessel shall advance to any seaman above half his wages while beyond sea, on forfeiture of double the sum advanced. *Ibid.*

This act extends to *Asia, Africa, and America*, and was by 2 *Geo. 2. c. 28.* made perpetual.

By 18 *Geo. 2. c. 30.* subjects, or denizens, during any war, committing hostilities at sea, where the admirals have power, against his majesty's subjects, or giving aid to enemies at sea, may be tried as pirates.

## Plague.

By 1 *Jac. 1. c. 31.* mayors, bailiffs, head officers of corporations, and justices of peace may tax inhabitants towards the relief of persons infected with the plague; and justices may tax within five miles round on a parish's inability. The tax may be levied by distress.

Infected persons commanded to keep house going abroad may be resisted by watchmen, and punished as vagrants if they have no fore; if they have sores upon them, it is felony. *Ibid.*

Justices of peace shall appoint searchers, watchmen and other officers, and administer oaths to them. But the act is not to extend to the universities, cathedral churches, or to the colleges of *Eaton* or *Winchester*. *Ibid.*

By 26 *Geo. 2. c. 18.* goods liable to retain infection coming from the *Levant*, without a clean bill of health, shall not be landed unless the same have been aired in some foreign lazarets.

*See title Felons, Plague and Quarantine.*

Plantations.

## Plantations.

By 12 Car. 2. c. 18. no sugars, tobacco, cotton wool, indicoes, ginger, fustick, or other dying wood, of the growth or produce of any *English* plantation, shall be exported from thence, to any other place, than *England*; on forfeiture thereof.

Ships of *England* sailing to any *English* plantations shall be bound with sureties to bring goods there loaded into *England*, *Ireland*, *Wales*, or *Berwick*. *Ibid.*

By 15 Car. 2. c. 7. no commodities of the growth and manufacture of *Europe* shall be imported into any *British* plantation unless shipped in *England*, and in *English* built shipping with the master and three-fourths of the mariners *English*.

Ships navigated as this act requires, may lade in any part of *Europe*, salt for the fisheries of *Newfoundland*, wines in the *Madeiras* and *Azores* of the growth thereof, servants or horses in *Scotland* and *Ireland*, all sorts of victual of the growth or produce thereof, and transport the same to any of the plantations. *Ibid.*

Every person importing goods to any of the plantations, shall deliver to the governor of such place, within twenty-four hours an inventory, and not lade or unlade until delivery thereof, on forfeiture of ship and goods; and governors shall take an oath to observe this act, and if they offend against it they are to be disabled, and also forfeit 1000*l.* *Ibid.*

Officers of the customs suffering such goods from the plantations, to be carried into any other country, before unladen in *England* shall be disabled, and forfeit the value of the goods. *Ibid.*

Sea coals may be shipped to any of the plantations, from any port of *England*, according to this act, paying the duties. *Ibid.*

By 22 & 23 Car. 2. c. 26. plantation goods shall be brought and unladen at some port in *England*, and the word *Ireland* shall be omitted in the bonds to be taken for that purpose.

Governors of the plantations shall return yearly to the custom-house, a list of all ships loading therein, and any ship unloading sugars, tobacco, cotton wool, indicoes, ginger, fustick or other dying wood, except in *England*, such ship and lading shall be forfeited. *Ibid.*

By 25 Car. 2. c. 7. all vessels taking goods on board in the plantations not giving bond to unload the same in *England*, for the rates of customs there shall pay for sugar, white 5*s.* the *cwt.* brown sugar 1*s.* 6*d.* tobacco 1*d.* per *lb.* cotton wool one half-penny, indico 2*d.* ginger the *cwt.* 1*s.* for logwood 5*l.* and for fustick or other dying wood 6*d.* and for every pound of cocoa nuts 1*d.*

By 7 & 8 Will. 3. c. 22. goods shall not be imported or exported to or from the plantations but in ships built in *England*, *Ireland*, or in the plantations, except prize ships, and foreign ships employed for three years to bring in naval stores, on forfeiture of ship and goods.

Governors

Governors of *English* plantations, shall take an oath to observe all acts relating to the plantations, and on neglect shall be removed from their government and forfeit 1000*l.* *Ibid.*

Naval officers in the plantations shall give security to the commissioners of the customs in *England* for performance of their duty, and in default shall be disabled, and governors in the *interim* shall be answerable. *Ibid.*

Ships coming into or going out of the plantations are liable to the same rules, and officers of the revenue there shall have the same power as officers in *England.* *Ibid.*

One third of the forfeitures, not otherways disposed of shall be to the king, another to the governor of the plantation, the other to the prosecutor. *Ibid.*

No goods shall be shipped, notwithstanding payment of duties, in the plantations, before security given as required, on forfeiture of ship and goods. *Ibid.*

All laws and usages in any of the plantations, repugnant to any law made in *England*, are declared to be illegal and void. *Ibid.*

Commissioners of the treasury and of the customs in *England*, may appoint officers of customs in any of the plantations, and on any action concerning his majesty's duties brought there, the jury shall be natives of *England*, *Ireland*, or plantations, and the offence may be laid in any colony. *Ibid.*

All places of trust in the courts of law, or relating to the treasury of the islands, shall be in the hands of the natives of *England* or *Ireland*, or of the islands. *Ibid.*

The sureties in bonds given in the plantations as required shall be of known residence and ability there. *Ibid.*

Product of the plantations shall not be put on shore in *Scotland* or *Ireland*, but in bad weather, unless the duties are paid in *England*; on forfeiture of ship and goods. *Ibid.*

Persons shall not sell any *property* under letters patents to any other than subjects of *England*, and all governors nominated shall be approved by the king, and take the oaths. *Ibid.*

To prevent colouring foreign ships under *English* names, *English* built ships, prize, and foreign ships allowed, shall be registered and attested, at the custom-house. *Ibid.*

It does not extend to open boats used on rivers, and ships names changed shall be entered again. *Ibid.*

By 11 *Will.* 3. c. 12. oppression or other offence contrary to law, committed by governors or commanders in the plantations may be tried in the king's bench in *England*, or before commissioners.

By 3 & 4 *Ann.* c. 5. rice and melasses, produced in the plantations, shall be under like securities, as other plantation goods.

By 6 *Ann.* c. 30. the rates of foreign coins in the plantations may be ascertained by royal proclamation, and persons paying or receiving at a higher rate, shall be imprisoned six months and forfeit 10*l.*

By 8 *Ann.* c. 11. plantation bonds, on default of prosecution, within three years, are void, and shall be delivered up.

By



By 10 *Ann. c. 22.* all prize goods taken in *America*, and imported, are liable to the plantation duties.

By 4 *Geo. 1. c. 11.* merchants and others may contract with persons of the age of fifteen, to serve in any of the *American* plantations for eight years, provided such person acknowledge his consent before the lord mayor of *London*, or justices of peace, and sign the same.

By 8 *Geo. 1. c. 15.* beaver skins, and other furs of the produce of the plantations in *Asia*, *Africa*, or *America*, shall be imported from thence directly into *Great Britain*.

By 4 *Geo. 2. c. 15.* all goods of the produce of the *American* plantations may be imported from thence into *Ireland*, in *British* ships, duly navigated, except sugars, tobacco, cotton, indico, ginger, speckle wood, or *Jamaica* wood, dying woods, rice, molasses, furs, copper ore, or naval stores. And by 5 *Geo. 2. c. 9.* hops from *Flanders*.

By 5 *Geo. 2. c. 7.* debts owing in the plantations to his majesty, or where any person residing here shall be a party, may be proved by affidavit before a chief magistrate.

Houses, lands, and negroes in the plantations, shall be liable to satisfy all just debts. *Ibid.*

By 5 *Geo. 2. c. 22.* no hats or felts shall be exported out of any of the *British* plantations, on forfeiture thereof, and 500*l.* on the offender or officer of customs conniving, and 40*l.* on persons knowing thereof.

None shall work hats or felts in the plantations, but such as have served an apprenticeship for seven years, nor shall they have more than two apprentices at one time, or employ negroes in hat making, on pain of 5*l.* a month; but sons may work in their father's houses, being bound apprentice for seven years. *Ibid.*

By 6 *Geo. 2. c. 13.* all rum and spirits, made in any foreign plantations in *America*, on importation to the *British* plantations, shall pay 9*d.* per gallon, (and 3*d.* per gallon for molasses and syrups, 4 *Geo. 3. c. 15.*) and 5*s.* per cwt. for sugars and paneles, amended, additional duties imposed, and made perpetual, by 4 *Geo. 3. c. 15.*

To be under the management of the customs and excise, and landing before entry, is a forfeiture of the goods. *Ibid.*

No sugars, except of the produce of his majesty's plantations, shall be imported into *Ireland*, but only such as shall be shipped in *Great Britain*, on forfeiture thereof; and persons assisting therein, are to forfeit treble the value. Obstructing the officers, is a penalty of 50*l.* and three months imprisonment; and officers conniving are to forfeit 50*l.* and be disabled; and masters offending against the act, are to forfeit 100*l.* and proof lies on the claimer. *Ibid.*

A drawback of the duties on sugar imported from the *British* plantations, shall be repaid on exportation within the year. *Ibid.*

Prosecutions on this act must be within two years, and it does not extend to *Spanish* or *Portugal* sugars. *Ibid.*

By 12 *Geo. 2. c. 35.* continued by 26 *Geo. 3. c. 53.* till September 29, 1792. his majesty's subjects in any *British* ship, navigated

gated according to law, belonging to *British* subjects, clearing outwards from *Great Britain*, by license from the commissioners of customs, may carry sugars from the *American* colonies directly to foreign parts.

Oath to be taken that the ship belongs to *British* subjects before license given; and taking in foreign goods, is a forfeiture thereof. *Ibid.*

Previous to the lading sugars at the said colonies, entry shall be made with the proper officer, who is to deliver a cocquet, and the master shall have a license and certificate, before the vessel departs, to be delivered on her return to *Great Britain*, to the commissioners or collector of the port. Oath to be taken, and entry made: and going to foreign parts, without touching at some port in *Great Britain*, the license shall be void, and liable to former penalties. *Ibid.*

Officers of customs are empowered to enter, examine, and unlade suspected ships; and in case there be no goods found on board, but what are mentioned in the manifest delivered; the officers to reload, and repair damages. *Ibid.*

Sugars brought from the plantations, with license, may be landed in *Great Britain*, on paying the duties. *Ibid.*

Sugars, with a license, may be carried to the Southward of *Cape Finisferre*, without touching at *Great Britain*. *Ibid.*

On performing the requisites, the bond to be discharged, otherwise to be forfeited. *Ibid.*

Ship unloading such sugars, and taking in other goods, subject to entries. *Ibid.*

Owners of ships carrying such sugars, not to pay any seamen more than half their wages before their return home. *Ibid.*

Any person granting false certificates, altering the license or oath, to forfeit 100 l. *Ibid.*

By 13 Geo. 2. c. 4. his majesty may, in time of war, grant charters and commissions, to any society, for taking lands, forts, and places of strength, possessed by any enemy, in any part of *America*, and the same are assured to them and their heirs.

No privateer in *America*, to take on board any servant, without consent of the master; but in all cases to observe the laws of that country. *Ibid.*

Foreigners living seven years in any of our colonies, to be deemed natives, on taking the oaths, to be entered and certified. *Ibid.*

By 14 Geo. 2. c. 37. all unlawful subscriptions, transfers, assignments of stocks, or pretended stocks in the plantations, shall be liable to like fines, penalties, and punishments, as common nuisances.

By 15 Geo. 2. c. 31. masters of vessels in the plantation trade registered, shall give an account upon oath, and loading or unloading goods, before proof of *English* owners, such vessel shall be forfeited.

Where certificate of the register of such vessel shall be lost, the master may make oath, and shall give security that no illegal use shall be made of the first register, if found, and may trade for one voyage after, and then shall register *de novo*. *Ibid.*

All plantation bonds shall be made with a condition to produce a certificate within eighteen months, that the goods enumerated have been landed and discharged. *Ibid.*

By 19 Geo. 2. c. 30. mariners belonging to privateers, or trading ships, shall not be impressed in the *West Indies*, unless they shall have deserted from his majesty's ships, on pain of 50 l.

By 22 Geo. 2. c. 3. commissioners under the great seal may determine appeals from the courts of admiralty in the plantations.

By 23 Geo. 2. c. 20. raw silk of the growth of the *British* colonies in *America*, may be imported without paying any duty, in vessels lawfully manned, and on oath, and certificate.

By 24 Geo. 2. c. 51. no duties shall be paid on pot or pearl ashes imported from the *British* plantations.

By 25 Geo. 2. c. 6. the acts relating to the attestation of wills shall extend to such plantations, where 29 Car. 2. c. 3. is received.

By 29 Geo. 2. c. 5. foreign protestants, receiving the king's commission to be officers, engineers, or the like, in regiments in *America* taking the oaths, and producing certificates thereof, are enabled to serve in *America* only.

The 4 Geo. 3. c. 15. imposed duties on sugar, indico, coffee, pimento, wines, wrought silk, callicoes, cambricks, and lawns, imported into the plantations, viz. on foreign, white, or clayed sugars, 1 l. 2 s. per cwt. indico, 6 d. per lb. coffee, 2 l. 19 s. 9 d. per cwt. madeira wines, 7 l. per ton, *Portugal* and *Spanish* wines, 10 s. per ton, wrought silk, bengals, and mixt with herba, 2 s. callicoes, 2 s. 6 d. per piece, cambricks, 3 s. per piece, *French* lawns, 3 s. per piece, coffee, 7 s. per cwt. pimento,  $\frac{1}{2}$  per lb.

By 5 Geo. 3. c. 39. spirits shipped in *America*, shall not be landed in the isle of *Man*.

The coast of *Africa*, from *Sallee* to *Cape Rouge*, was vested in the crown, and the trade laid open to all subjects, c. 44.

*British American* iron and lumber, may be imported to *Ireland*, and lumber to the *Madeiras* and *Azores*, or any port of *Europe*, South of *Cape Finisferre*, upon giving bond, and 23 Geo. 2. c. 29. repealed, c. 45.

Ships from *British American* plantations to give bond, as to molasses and syrups, whether the goods were laden there or not. *Ibid*.

Boats under twenty tons, may carry goods the produce of *America*, and not liable to duties, from one colony to another, without a cockpit. *Ibid*.

The fees of officers of the customs in *America*, were by the same act ascertained and regulated.

By 7 Geo. 3. c. 30. and 21 Geo. 3. c. 30. till December 1796, sago powder and vermicelli may be imported, duty free, from the colonies in *America*.

The 8 Geo. 3. c. 22. instituted the court of vice admiralty in *America*, for the recovery of penalties and forfeitures as to trade or revenues there.

By 9 Geo. 3. c. 38. the following premiums were given on importing raw silk from *America*, viz. from January 1, 1770, to the same time in 1777, 25 l. per cent. to January 1, 1784, 20 l. per cent. and to January 1, 1791, 15 l. per cent.

By 11 Geo. 3. c. 51. importers of rum and spirits from the plantations, may warehouse the same.

By



By 13 Geo. 3. c. 14. foreigners may lend money on estates in the colonies, at 5 *l.* per cent. per ann.

Cocoa and coffee, the produce of *Dominica*, may be imported under the same regulations as sugar and rum from thence, and one seventh part allowed on coffee in the husk. 13 Geo. 3. c. 73. 17 Geo. 3. c. 44.

Duty on negroes imported to *Dominica*, and exported from *Jamaica*, reduced from 30 *s.* to 2 *s.* 6 *d.* per head, 13 Geo. 3. c. 73.

Certificates and notes accepted by the creditors of the public in *America*, as securities, to be legal tenders for debts due to the public treasurers there. 13 Geo. 3. c. 57.

By 18 Geo. 3. c. 12. the exercise of taxation over the *British* colonies in *North America* and the *West Indies*, except for the regulation of commerce, was given up by parliament.

By 26 Geo. 3. c. 1. nothing but bread, flour, *Indian* corn, and live-stock, shall be imported into *Newfoundland*, and the adjacent islands, from the *American* states; and such commodities shall be imported there in *British* built ships, licensed before June 30, 1787, by the commissioners of customs.

The masters of vessels shall deliver the license to the custom house officer at the port of discharge, who shall give a certificate thereof. *Ibid.*

Goods imported contrary to this act shall be forfeited, and go, one third to the king, another third to the governor, and the remaining third to the officer. *Ibid.*

In force till 25 March, 1788.

By 27 Geo. 3. c. 27. from September 1, 1787, wool, cotton wool, indigo, cochineal, drugs, cocoa, log-wood, fustick, and all dying woods, hides, skins, and tallow, beaver, and all furs, tortoise shell, hard wood, or mill timber, mahogany, and all cabinet wood, horses, asses, mules, and cattle, the growth or produce of any plantations in *America*, and all coin, bullion, diamonds, and jewels, may be imported into the ports of *Kingston*, *Savannah la Mar*, *Montego Bay*, and *Santa Lucia*, in *Jamaica*, *Saint George*, in *Grenada*, *Roseau*, in *Dominica*, and *Nassau*, in *New Providence*, in one-decked foreign *European* vessels, not exceeding seventy tons burthen.

If any articles not herein enumerated, shall be imported into any of the said ports, they and the vessel shall be forfeited. *Ibid.*

Rum, negroes, and goods legally imported, except, masts, yards, bowsprits, pitch, tar, turpentine, and tobacco, and except iron, may be exported from the said ports, to such foreign colonies in *America*, in foreign one decked *European* vessels, not exceeding seventy tons burthen; but the legality of the importation of such goods shall be proved before exportation.

The above articles (*in Italics*) may be exported from the said islands to *Great Britain* or *Ireland*, under the regulations of the navigation acts. *Ibid.*

If any goods of the growth or produce of *Europe* or the *East Indies* beyond the *Cape of Good Hope*, be exported from *Grenada*, *Dominica*,

or

or *Babama*, to any *British* colony in *America*, or the *West Indies*, they are forfeited with the vessels. *Ibid.*

No duty or fee shall be taken at *Jamaica*, *Grenada*, *Dominica*, and *New Providence*, for any entry of foreign vessels, on pain of forfeiting, as for exaction of greater fees than allowed. *Ibid.*

In force till *September 1, 1792*, and to the end of the next session.

The 27 *Geo. 3. c. 39.* appoints commissioners further to enquire into the losses and services of all such persons who have suffered in their rights, properties, and professions, during the late dissensions in *America*, in consequence of their loyalty and attachment to the *British* government.

The commissioners may examine parties on oath, send for persons or papers, and shall appoint clerks. *Ibid.*

Persons delivering in fraudulent claims, shall be excluded from any compensation, and giving false evidence, shall be liable to the penalties of perjury. *Ibid.*

The commissioners in the colonies shall enquire into claims, and in case of difference of opinion, shall require the assistance of the governor, who, in case of the death of a commissioner, is to supply his place. *Ibid.*

The commissioners in *America* may, within six months after the passing the act, take an oath before the governor or chief justice, which shall render their acts valid: and they may appoint persons to travel in *America* to enquire into facts. *Ibid.*

The commissioners shall give an account of their proceedings to the treasury and secretaries of state; and the treasury shall pay 4000*l.* to the commissioners for paying clerks and others. *Ibid.*

The commissioners may receive half pay as officers, on making affidavit, that they have not been employed under the crown, except as commissioners for the purposes of the present act; and in case of the death of a commissioner during the recess of parliament, his majesty may appoint another. *Ibid.*

In force for one year from *July 15, 1787.*

## Plays and Games.

By 33 *Hen. 8. c. 9.* no person for gain shall keep any common house of bowling, coytng, dicing, tennis, carding, or any unlawful new invented game.

Persons haunting such houses, and there playing, shall forfeit 6*s.* 8*d.* each time. *Ibid.*

Magistrates and peace officers may repress unlawful games, and punish offenders, and are to make search every month at farthest, on pain of 40*s.* *Ibid.*

No artificer, husbandman, apprentice, servant, labourer, or journeyman, shall play at tables, tennis, dice, cards, bowls, clashi, coytng, or other unlawful games, out of Christmas, on pain of 20*s.* and then only on their master's premises. And no one is to play at bowls out of his garden or orchard, on pain of 6*s.* 8*d.* *Ibid.*

Servants

Servants, by license of the master, may play with him, or any other gentleman, openly in his house. *Ibid.*

Any nobleman, or other, having 100*l.* a year in lands, may license his servants to play within the precinct of his house. *Ibid.*

By 2 & 3 *Phil. & Mar. c. 9.* all licenses to keep gaming houses shall be void.

By 16 *Car. 2. c. 7.* persons who by any fraud or deceit, or by bearing a part in the stakes, or betting at cards, dice, tables, tennis, bowls, skittles, shovel board, or in cock fighting, horse races, dog matches, or foot races, or other games, obtain any money, shall forfeit treble the sum, with treble costs.

Any person losing above 100*l.* at one time, and not paying the same at the time, shall not be compellable to pay; all assurances and securities to pay, shall be void, and the winner shall forfeit treble the sum, with treble costs, to such person as prosecutes within one year, *Ibid.*

By 9 *Ann. c. 14.* all notes, bills, bonds, judgments, mortgages, or other securities, where the consideration is for money won by gaming, or for repayment of money lent at such gaming, shall be void; and where lands are so incumbered, they shall devolve, as if the grantor had been dead.

The loser of 10*l.* at gaming, may sue for the money again within three months; and if he does not, any other person may, and recover treble the sum, with costs. *Ibid.*

Every person who is liable to be sued, shall be obliged to answer upon oath, any bill filed, and discover the sum so won at play. *Ibid.*

The person who shall so discover, and repay, shall be indemnified from other punishment. *Ibid.*

Any person winning by fraud, holding stakes, or betting above 10*l.* at one sitting, and convicted thereof on indictment, shall forfeit five times the value, be deemed infamous, and suffer as for perjury. *Ibid.*

Two justices of peace may cause persons of no visible estate, but who mostly support themselves by gaming, to be brought before them, and if they do not make it appear, that they are not maintained by gaming, they are to find sureties for their good behaviour. And playing or betting for more than 20*s.* shall be deemed a breach. *Ibid.*

Assaulting any one on account of money won at play, incurs a forfeiture of goods, and two years imprisonment. *Ibid.*

This does not extend to gaming in royal palaces, during the king's residence. *Ibid.*

By 2 *Geo. 2. c. 28.* justices as well on the oath of credible witness, as upon view, may commit offenders using unlawful games contrary to 33 *Hen. 8. c. 9.* until they enter into recognizance not to play.

By 12 *Geo. 2. c. 28.* the games of the ace of hearts, pharoah, basset, and haffard, were prohibited, with like penalties as lotteries, and adventurers forfeit 50*l.*

Not to extend to any games in palaces where the king resides. *Ibid.*



By 13 *Geo. 2. c. 19.* the game of passage, and all other games with a die, or dice, games now played with backgammon tables only excepted, shall be deemed as lotteries.

By 18 *Geo. 2. c. 34.* no person shall keep a place for playing roly-poly, or other game with cards or dice; and such person, and those who play at the same, shall incur such penalties as in cases of lotteries.

Courts of equity, where a bill shall be filed for any sum won at play, may enforce their decree as in other causes. *Ibid.*

On information for any offence upon the statutes against gaming, any persons, other than the party accused, may be summoned to give evidence, and refusing or giving false evidence, shall forfeit 50*l.* *Ibid.*

No person, except the parties, shall be incapacitated from being a witness in offences by gaming, for having played, betted, or staked. *Ibid.*

Not to extend to royal palaces; no privilege of parliament to be allowed in prosecutions for gaming. *Ibid.*

Persons losing 10*l.* at one time, or 20*l.* within 24 hours, may be indicted, and fined five times the value. *Ibid.*

Such offender discovering others shall be discharged. *Ibid.*

By 30 *Geo. 2. c. 24.* persons licensed to sell liquors, permitting journeymen, labourers, servants, and apprentices, to game in their houses, to forfeit 40*s.* and for every subsequent offence 10*l.*

On complaint of such persons gaming in public houses, justices of peace are to issue warrants for apprehending them, who, upon conviction, forfeit not exceeding 20*s.* nor less than 5*s.* or otherwise shall be committed. *Ibid.*

Justices may summon witnesses, concerning gaming in public houses, who are inhabitants of the parish. *Ibid.*

## Pleadings.

By 52 *Hen. 3. c. 11.* no fine shall be taken in circuit, county hundred, or court baron, for fair pleading. *The same also by 3 Ed. 1. c. 8. 1 Ed. 3. stat. 2. c. 8.*

By 3 *Ed. 1. c. 29.* serjeant or pleader attainted of using deceit in the king's court, shall be imprisoned a year and a day, and thenceforth shall not be heard to plead in that court.

By 31 *Ed. 1. stat. 1.* in assizes joint tenancy shall not be pleaded by bailiffs, and being alledged falsely, the demandant shall recover his seisin, with damages.

By 25 *Ed. 3. stat. 5. c. 16.* abatement by exception of non-tenure, shall be for that parcel only.

By 36 *Ed. 3. c. 15.* pleadings shall be in the *English* tongue, and inrolled in *Latin*; and no man shall be prejudiced by ancient forms, so that the action be fully shewed in the declaration and writ.

By 6 *Ric. 2. c. 2.* abatement shall be in writs of debt, and account by plea that the contract was made in another county than is contained in the writ.

By 32 Hen. 8. c. 30. after verdict judgment shall be given notwithstanding any mispleading, jeofail, misjoining of issue, or want of warrant of attorney.

Every attorney shall file his warrant of attorney, when the issue is entered, on pain of 10*l*. and imprisonment. *Ibid.* And 18 Eliz. c. 14.

By 18 Eliz. c. 14. after verdict, judgment shall not be stayed for default in form, variance, or want of form in any writ, count, return of sheriff, or for want of any warrant of attorney.

But this does not extend to informations on any penal statute, nor to appeals, indictments, or presentments of felony and murder.

By 27 Eliz. c. 5. after demurrer joined, judgment shall be given on the very right, without regard to defect of form in any writ, return, plaint, declaration, or other pleading, unless specially demurred to.

After demurrer joined, the court may amend defects of form unless specially demurred to. But the act does not extend to appeals, indictments, or informations.

By 7 Jac. 1. c. 5. and 21 Jac. 1. c. 12. the general issue may be pleaded by justices of peace, mayors, headboroughs, portreeves, constables, tithing men, collectors of subsidies, churchwardens, overseers, and officers in their aid, upon any action brought against them touching their office, and the action must be brought in the proper county.

By 21 Jac. 1. c. 13. after verdict no judgment shall be stayed or reversed for variance in form between the writ and the declaration, or want of averment of the life of parties, or that the venire was awarded to a wrong officer, or that the sheriff's name is not to the return, or that the plaintiff being an infant did appear by attorney, if the verdict passed for him.

This does not extend to appeals, indictments, or informations.

By 21 Jac. 1. c. 14. upon intrusion, where the king was not seised within 20 years, the defendant may keep possession till title found, and plead the general issue.

By 16 & 17 Car. 2. c. 8. after verdict, judgment shall not be stayed or reversed for default in form, want of pledges, or want of alledging profert, &c. not being against the right of the suit. But this likewise does not extend to appeals, indictments, or informations.

By 4 & 5 Ann. c. 16. after demurrer joined, judgment shall be given on the very right, without regarding defect in any writ, return, pleading, or process, though taken to be substance, so as sufficient matter appear, unless the party demurs specially.

All the acts shall extend to judgments by confession or default, and the plaintiff's attorney shall file his warrant of attorney when he declares, and the defendants on appearance, on the former penalties. (*See the tax on attornies under the title Stamps, Attornies*) *Ibid.*

The defendant in actions, or plaintiff in replevin, with leave of the court, may plead as many several matters, as he shall think necessary for his defence. *Ibid.*

Where the defendant has pleaded several matters, and on demurrer joined, such matter shall be judged insufficient; costs shall be given at the discretion of the court; and in like manner if a verdict shall be found in any issue for the plaintiff or demandant, unless the judge shall certify that the defendant or tenant, or plaintiff in replevin, had a probable cause to plead such matter as was found against him. *Ibid.*

It does not extend to appeals, indictments, or informations.

No dilatory plea shall be received, unless on affidavit, to prove the truth thereof. *Ibid.*

In actions of debt brought on judgment, bond, or the like, after the money is paid, such payment may be pleaded in bar. *Ibid.*

The defendant may, at any time pending suit, bring into court the principal money and interest due on bond, together with costs, and be discharged. *Ibid.*

By 4 Geo. 2. c. 26. all pleadings, records, and writs shall be in *English*, and engrossed without abbreviations, on pain of 50*l.* But this shall not extend to the certifying abroad admiralty proceedings, nor to the court of receipt of his majesty's exchequer.

By 6 Geo. 2. c. 14. pleadings may be with abbreviations commonly used in *English*, and technical terms.

## 10002.

By 43 Eliz. c. 2. churchwardens of every parish, and four, three, or two householders, shall be nominated at *Easter*, by two justices, to be overseers of the poor, for setting children and others to work; to raise weekly, or otherwise, a competent sum for providing hemp, wool, iron, or other stuff, to set them at work; for relieving the impotent, and apprenticing out poor children.

Overseers are to meet once a month, in the church, to consider the premises, and are to account to the new overseers within four days after chosen, for all money and stock in hand, on pain of 20*s.* for every neglect. *Ibid.*

Where the inhabitants of any parish are are not able to relieve the poor, two justices may assess others within the hundred, in aid, and if the hundred be thought unable, the county may be assessed at the sessions. *Ibid.*

Assessments may be levied by distress and sale; in default of distress, two justices may commit to the county gaol, and also all such as will not work, or refuse to account. *Ibid.*

Two justices may bind parish apprentices, and churchwardens and overseers may agree and build houses on the wastes for the poor to inhabit. *Ibid.*

Parties grieved may appeal to the general quarter sessions, whose order shall be final. *Ibid.*

Poor persons shall be relieved by their parents, or by their children, being of sufficient ability. *Ibid.*



Aldermen in *London*, and officers in corporations shall have the same authority in their jurisdictions, as justices of the peace in the county, to execute this act. *Ibid.*

Where a parish extends into several counties or liberties, the justices shall intermeddle only within their own limits. *Ibid.*

Justices, on default of nominating overseers, shall forfeit 5*l.* and all penalties shall be employed for relief of the poor and providing stock. *Ibid.*

Overseers shall be appointed in the island of *Fowlness* in *Essex*, as if the same were a parish. *Ibid.*

On action brought against any person for acting in execution of this act, the defendant may plead the general issue, and give the special matter in evidence. *Ibid.*

By 3 *Car. 1. c. 5.* churchwardens and overseers, by consent of two justices, may exercise any trade, only for setting on work and better relief of the poor of the parish.

By 13 & 14 *Car. 2. c. 12.* poor people going from one parish to another, to settle in any tenement under 10*l.* yearly value, upon complaint by the overseers to any justice of peace, within 40 days after such persons coming, two justices may remove persons likely to be chargeable to such parish where last legally settled, as native, householder, sojourner, apprentice, or servant, for 40 days at least, unless they give sufficient security.

Parties grieved may appeal to the next quarter sessions; and persons may go to any place to work in harvest, so that they carry with them a certificate of settlement, and of their family; and falling sick, whilst they are in work, shall not be accounted a settlement, but they may be removed back. *Ibid.*

The churchwardens and overseers, by order of justices, may seize the goods, and the rents of lands belonging to the father or mother of a bastard, towards its maintenance. *Ibid.*

The poor in *Lancashire, Cheshire, Derbyshire, Yorkshire, Northumberland, Durham, Cumberland, Westmoreland*, and in large parishes, shall be relieved, by the township or village where they inhabit, or were last lawfully settled. *Ibid.*

The rights of the dean and chapter of *Westminster* are saved.

By 1 *Jac. 2. c. 17.* the forty days continuance in a parish to make a settlement, shall be accounted from the delivery of notice in writing, of the person's house and family, to one of the churchwardens.

Which notice, by 3 & 4 *W. & M. c. 11.* must be publicly read in the church the next *Sunday*.

No soldier or seaman shall gain a settlement by such notice, unless after dismissal out of the service. *Ibid.*

The churchwarden or overseer, neglecting or refusing to read, or to register such notice, shall forfeit 40*s.* for each offence. *Ibid.*

Serving on his own account any public annual office, for one whole year, or paying parish duties, shall gain a settlement without notice. *Ibid.*

Service of persons unmarried and without child, hired for a year, shall be a settlement without notice. *Ibid.*

Apprenticeship by indenture and inhabitation, is a settlement without notice. *Ibid.*

Appeal lies from the determination of the two justices, to the next quarter sessions, whose order shall be final. *Ibid.*

Churchwardens and overseers must receive persons removed by warrant of the two justices, on forfeiture of 5*l.* *Ibid.*

In every parish a register shall be kept of the poor parishioners, yearly, in *Easter* week, a list of the poor is to be made, and none but those therein are to receive alms, except by order of a justice of peace, and in cases of pestilence.

In actions against churchwardens or overseers, for mispending the poor's money, parishioners not receiving alms, may be evidence. *Ibid.*

By 8 & 9 *W. 3. c. 30.* persons coming to inhabit in any parish, bringing with them a certificate under the hands and seals of the parish officers, owning them to be inhabitants of their parish, such parish shall be obliged to provide relief for them, whenever they are burthensome, and shall receive them again.

Persons receiving alms shall wear a badge with the letter P. on the shoulder of the right sleeve, and refusing to wear it they shall not be relieved. *Ibid.*

On appeal to justices concerning settlements, they may award costs, and cause them to be levied by distress. *Ibid.*

Persons hired for a year shall not gain a settlement unless they continue in such service one whole year. *Ibid.*

Masters shall receive and provide for poor children bound to them as apprentices, according to the indentures, and if they refuse, they forfeit 10*l.* but may appeal to the next quarter sessions. *Ibid.*

Appeal against any order of removal of poor, shall be determined at the quarter sessions. But this is not to hinder the justices of peace within the liberty of *St. Alban's* from determining appeals for settlement of poor in their quarter sessions. *Ibid.* *The like power is given to the justices of St. Peter and Nassaborough in Northamptonshire, by 9 Geo. 1. c. 7.*

By 9 & 10 *W. 3. c. 11.* no person coming into a parish by a certificate, shall be adjudged by any act whatever, to have procured a settlement, unless he take a lease of a tenement of 10*l.* a year, or execute some annual office in such parish.

By 12 *Ann. stat. 1. c. 18.* an apprentice, or hired servant, to one who came into a parish by certificate, shall not gain a settlement there by such binding or service.

By 5 *Geo. 1. c. 8.* the parish officers, by warrant from two justices, may seize the goods and the rents of husbands and parents who leave their wives and children upon the parish: to be accountable for the same at the quarter sessions.

By 9 *Geo. 1. c. 7.* no justice of peace shall order relief to any poor person dwelling in a parish, until oath made of a reasonable cause,

cause, or longer than the cause continues, and no officer shall bring to his account monies paid to paupers not registered, on pain of 5*l*.

No person shall gain a settlement by purchase of any estate in a parish, where the consideration doth not amount to 30*l*. *Ibid*.

No person shall gain a settlement by paying the scavengers or highway rates. *Ibid*.

No appeal from order of removal of poor shall be proceeded on in quarter sessions, unless reasonable notice be given. And the quarter sessions, upon undue removal, may order the appellant so much money as shall appear to have been reasonably paid in relieving such poor person. *Ibid*.

By 3 *Geo. 2. c. 29.* witnesses to certificates of settlements, shall swear that they saw the parish officers sign; and the overseers, on reconveying certificate persons, shall be reimbursed the reasonable charges of maintaining and removing such persons.

By 15 *Geo. 2. c. 37.* drained lands shall pay parochial rates.

By 17 *Geo. 2. c. 3.* no poor rate shall be valid, unless public notice be given of the same in the church, the next *Sunday* after allowance of the justices.

Such rates to be inspected by any inhabitant, and copies taken; and parish officers not permitting any inhabitant to inspect, shall forfeit 20*l*. *Ibid*.

By 17 *Geo. 2. c. 38.* churchwardens and overseers of the poor shall, every year, within 14 days after new ones are appointed to succeed them, make up their accounts perfect, and any person assessed may inspect the same and take copies.

If overseer die, remove, or become insolvent, two justices may appoint another; executors of the deceased to account in forty days; overseer removing, to deliver his accounts to the churchwarden. *Ibid*.

Persons aggrieved by any assessment for relief of the poor, may on notice appeal to the next quarter sessions. *Ibid*.

Goods of persons assessed, and refusing to pay, may be levied by distress in any other precinct, and the party aggrieved may appeal to the next quarter sessions. *Ibid*.

Overseers and like persons not to be deemed trespassers from the beginning, for irregularity or defect of form, but the party aggrieved shall recover only for the special damage with full costs. *Ibid*.

No plaintiff to recover for such irregularity, if tender of amends be made before action brought. *Ibid*.

Succeeding overseers may levy arrears to reimburse the former. *Ibid*.

Persons removing out of parishes, liable to rates in proportion. *Ibid*.

Overseers and others not obeying this act to forfeit not exceeding 5*l*. *Ibid*.

Overseers, where there are no churchwardens, to perform all acts concerning the poor. *Ibid*.

By 21 *Geo. 2. c. 10.* no occupier of a dwelling house shall gain a settlement, by paying the rates, upon houses and windows.



By 31 Geo. 2. c. 11. persons bound apprentice by deed, though not indented, being first duly stamped, shall not be liable to be removed from the parish, where they were so bound and resident forty days, by reason only of such deed not being indented.

By 9 Geo. 3. c. 37. churchwardens paying the poor, otherways than in lawful money, shall forfeit not less than 10s. nor more than 20s. to the poor.

By 20 Geo. 3. c. 36. poor children bound apprentices by corporations, in particular districts incorporated by act of parliament shall be provided for in the same manner as if bound by parish officers, but no person shall be obliged to take an apprentice, unless an inhabitant or occupier of land, in the parish whereto the child belongs.

Bastards born in houses of industry shall belong to the parish where the mother is legally settled. *Ibid.*

By 22 Geo. 3. c. 83. the 9 Geo. 1. c. 7. as to hiring out the poor shall be repealed in places where the provisions of this act shall be adopted.

But visitors and guardians may make agreements for the diet and clothing of persons sent to the poor houses, *Ibid.*

To be intitled to the benefits of this act, two thirds of the parishioners must meet and signify their approbation of the provisions herein; and shall nominate three guardians of the poor, and three governors of the poor house; to be approved by two justices, and appoint them salaries. *Ibid.*

Two or more parishes may unite, with the approbation of two justices, for the purposes of this act. Parishes more than ten miles distance from the poor house are excluded. Notice for meetings shall be given in the church; and voters must be assessed to, and pay the poor's rates at the rate of 5 l. per ann. *Ibid.*

Justices shall appoint a guardian for each parish, who shall act and have the same powers as an overseer (except as to rates.) *Ibid.*

Churchwardens or overseers shall receive the poor's rate, and pay it over to the guardian, to be applied by him in maintaining the poor. *Ibid.*

The justices shall appoint a governor of each poor house. The guardians shall nominate three persons of fortune, one of whom shall be appointed visitor by the justices. The visitor may appoint a deputy, and the governor shall obey the visitor. Single parishes may have a visitor appointed; and in united parishes a treasurer shall be appointed; and any vacancies in the above offices shall be supplied in the like form as above. *Ibid.*

The offices of guardian, governor, visitor or treasurer shall determine in Easter week, and a new choice be then made. *Ibid.*

Justices in a different limit may act where there is but one or no magistrate; and justices may appoint special sessions for executing the powers of this act. *Ibid.*

Guardians shall provide houses, and proper utensils to set the poor to work; and poor houses shall be situated in the parishes; but on certain conditions lands and buildings may be rented. *Ibid.*

Buildings to be erected or repaired shall be paid for by the guardians; and the visitor and guardians may borrow money. *Ibid.*

Visitors and guardians shall be incorporated; may sue and be sued, and make purchases; and all incapacitated persons are impowered to sell them lands. Money paid for such lands shall be laid out in the purchase of other lands, to be settled to the same uses. *Ibid.*

The poor shall be maintained at the general expence of the respective parishes; guardians shall meet monthly. Treasurer at each meeting shall produce an account of the debt incurred for utensils, furniture, &c. and also an account of the victuals, beer, &c. used in the poor house. *Ibid.*

Persons refusing to deliver up poor's rates after proper demand, shall forfeit 5*l.* and guardians who shall neglect to attend monthly meetings, shall forfeit not more than 5*l.* nor less than 40*s.* *Ibid.*

Waste land adjoining to poor houses may be inclosed, with consent of the lord of the manor. *Ibid.*

Persons sent to the poor houses shall deliver an order signed by a guardian. *Ibid.*

None but persons indigent by old age or sickness, and unable to maintain themselves; and orphans, and infants obliged to go with the mother, may be sent to the poor houses. *Ibid.*

The guardians may place out poor children with the approbation of the visitor, till fit to be put out apprentice. *Ibid.*

Idle persons who neglect to provide for their families, shall be prosecuted by the guardians under 17 Geo. 2. (*vagrants.*) *Ibid.*

The guardians may agree for the labour of poor persons, who cannot get employment, and provide for them during their work, and shall receive their earnings, and apply them to their maintenance, and make up any deficiency. But if they refuse to work, they may be committed for three months, and not less than one. *Ibid.*

Guardians shall provide suitable clothing for the persons they send to the poor houses. *Ibid.*

The rules and orders contained in the schedule to the act, shall be observed at the poor houses. *Ibid.*

Justices on complaint that any guardian hath refused relief to any poor person, may direct such guardian to send the complainant to the poor house, which he shall do on penalty of 5*l.* but if the justice shall find the complainant is an idle person, he may commit him to the house of correction. *Ibid.*

Guardian shall not be summoned before the justice, unless the complainant shall have applied both to the guardian and visitor. *Ibid.*

Penalties inflicted on guardians are to be applied, such part as the justice orders to the poor person, and the remainder as after directed. *Ibid.*

Poor persons afflicted with sickness, or dying, when at a distance from, or proceeding to their parish, shall be relieved or buried by the  
strange

strange parish, which is to be reimbursed by that where the poor person was settled. *Ibid.*

This act is not to alter the settlement of any person. *Ibid.*

Persons who shall embezzle or waste goods committed to their care, in any poor house, may be committed for six or two months. *Ibid.*

Enticing or removing pregnant women from one parish to another, without an order from two justices, is a penalty of 20*l.* and not less than 5*l.* *Ibid.*

Visitors, guardians, and governors, who shall furnish provisions for the poor house to which they belong, shall forfeit not more than 20*l.* nor less than 5*l.* *Ibid.*

Guardians, with the approbation of the parishioners, may sell houses provided by the parish for the poor thereof. *Ibid.*

This act shall not extend to any place which shall not adopt the provisions thereof. *Ibid.*

Penalties and forfeitures may be recovered before a magistrate, and are to be applied to the treasurer towards the monthly expences of maintaining the poor; but persons aggrieved may appeal to the quarter sessions, whose determination shall be final. *Ibid.*

## Post-Office.

By 9 *Ann. c. 10.* The postmaster general shall be appointed by the king; and no other person shall have the ordering or conveying of letters, except messengers sent on purpose.

Carriers and stage-coachmen are not to carry letters. A chief letter office is to be erected at *Edinburgh* and at *Dublin*. *Ibid.*

The postmaster general, his deputies, and no other shall provide horses for riding post. *Ibid.*

The postmaster may erect cross stages at port towns; all letters from on board ships shall be delivered to the deputy postmaster, on forfeiture of 5*l.* and the bringer of such letters shall have a penny for each letter. *Ibid.*

None shall carry letters, but the postmaster general, or his deputies, or provide horses for riding post, on pain of 5*l.* for each offence, and 100*l.* a week. *Ibid.*

Deputy postmaster shall account for by or way letters, on the like pains. *Ibid.*

But when the postmaster doth not furnish horses in one half hour, the party may hire elsewhere, and the postmaster shall forfeit 5*l.* *Ibid.*

Letters may be sent from any place to the next stage above six miles from the general office. *Ibid.*

None may collect letters in *London* without license. The packet shall not be carried out of *Great Britain* in foreign ships, on pain of 100*l.* and the postmaster general, and all other officers, must receive the sacrament, take the test, and the oaths of allegiance, supremacy and abjuration, before acting. *Ibid.*

The



The postmaster shall observe such orders as the king shall make ; and no horses shall be seized against the owner's consent. *Ibid.*

All sums not exceeding 5 *l.* due for any letters shall be recovered before justices of peace, in the same manner as small tithes are, and be preferable before any other debt. And inland letters shall pay where delivered, unless going out of *Great Britain.* *Ibid.*

This act is not to prejudice the privileges of the universities. *Ibid.*

Monies arising out of the revenue of the post office shall be paid into the exchequer every *Tuesday*, and appropriated to the payment of the annuities and other incumbrances charged thereon. *Ibid.*

No letters shall be opened, detained, or delayed, after delivery at the post-office, on pain of 20 *l.* except on warrant from a secretary of state, or where the party will not pay the postage, or cannot be found ; and the postmaster shall be sworn to observe this clause. *Ibid.*

No officer in the post office shall in any manner influence any elector in parliamentary elections, on pain of 100 *l.* and being disabled. *Ibid.*

Merchants accounts of one sheet, and bills of exchange, invoices, and likewise the covers of letters not more than a  $\frac{1}{4}$  sheet sent from the *London* post office to or from places abroad, and out of the king's dominions shall be allowed without rate. *Ibid.* and 6 *Geo.* 1. c. 21.

By 4 *Geo.* 2. c. 33. penny post men carrying letters out of *London*, *Westminster*, or *Southwark*, may demand 1 *d.* extra at delivery.

By 22 *Geo.* 2. c. 25. any person may let out post chaises, with horses to draw, and persons attending.

By 26 *Geo.* 2. c. 13. every writ, or legal process wrote upon the same piece of paper with a letter, shall pay as a distinct letter.

Letters inclosing several patterns or samples of goods, not exceeding one ounce weight, to pay only as double letters. *Ibid.*

By 4 *Geo.* 3. c. 24. no letters shall be exempted from postage, but such of which the whole superscription is of the writing, and signed by a member of either house ; and counterfeiting the writing of any person in the superscription of any letter, to avoid the postage, is felony and transportation for seven years.

By 5 *Geo.* 3. c. 25. postage of letters was settled from *London* to any port in *America.*

Single,	—	1 <i>s.</i>
Double,	—	2 <i>s.</i>
Treble,	—	3 <i>s.</i>
Per ounce,	—	4 <i>s.</i>
Inland in <i>America</i> , sixty miles		
Single,	—	4 <i>d.</i>
Double,	—	8 <i>d.</i>
Treble,	—	1 <i>s.</i>
Per ounce,	—	1 <i>s.</i> 4 <i>d.</i>
One hundred miles single,		
Double,	—	1 <i>s.</i> 4 <i>d.</i>
Treble,	—	2 <i>s.</i>
Per ounce,	—	2 <i>s.</i> 8 <i>d.</i>

No ship to make entry or break bulk, till the letters are delivered to the post office; and ship letters not by packet boats to pay 1*d.* more each. *Ibid.*

Postage between *England* and *Ireland* to be through *Carlisle*, *Dumfries*, *Portpatrick*, and *Donaghadee*, or other convenient ports. *Ibid.*

Postmasters may cause the roads to be measured, and appoint penny-post-offices in any city or town and suburbs, and places adjacent, in *Great Britain*, *Ireland*, and *America*. *Ibid.*

None to collect letters without leave of the postmaster, but letters may be sent by penny-post from the general post-office. *Ibid.*

Any officer of the post-office secreting, embezzling, or destroying letters, wherewith he is intrusted, containing bank notes, or stealing letters, or robbing the mail, death. *Ibid.*

Destroying letters or advancing the postage, and not accounting for the money received, felony. *Ibid.*

By 9 *Geo.* 3. c. 35. 1,500*l.* per ann. was allowed out of the post-office to the clerks of the secretaries of states office, in lieu of their franking letters.

Members of parliament may frank printed newspapers, forty days before or after any prorogation, and the clerk assistant and reading clerk of the house of lords, and out-door clerk of the house of commons, are not to pay postage. *Ibid.*

By 22 *Geo.* 3. c. 70. the commander in chief, and his secretary, are impowered to send and receive letters free from postage.

The said commander shall appoint two persons to indorse public letters sent from his office. *Ibid.*

Indorsing any letter which does not concern the said office is a penalty of 5*l.* *Ibid.*

By 23 *Geo.* 3. c. 69. the adjutant general, and comptrollers of army accounts, may send and receive letters free from postage.

By 24 *Geo.* 3. stat. 1. c. 6. the 4 *Geo.* 3. c. 24. as to letters, and packets passing post free, between *Great Britain* and *Ireland*, was repealed from the establishment of a general post-office by the *Irish* parliament.

This is not to deprive the postmaster-general of the postage to and from *Ireland*. *Ibid.*

Additional rates shall be allowed to the postmaster-general to be accounted for to the post-office in *Ireland*; and a temporary allowance of 4000*l.* per ann. shall be made to the post-office in *Ireland*, until it is established. *Ibid.*

The general post-office in *Ireland* shall be conveyed to the postmaster-general there. *Ibid.*

The postmaster-general may authorize certain persons to send and receive printed votes and newspapers to and from *Ireland*. *Ibid.*

Any person may send printed votes and newspapers by the post for one penny each, provided the packets be left open at each end. *Ibid.*

By

By 24 Geo. 3. c. 8. certain officers in *Great Britain* and *Ireland*, who by virtue of their offices send and receive letters free, and also the postmaster-general, the secretary, and the surveyors of the general post-office of *Ireland*, and the under secretary and first clerk for the military department of the office of the chief secretary, of the lieutenant general, may send and receive letters to and from *Great Britain* and *Ireland* free from the *British* post-office duty; provided such letters are certified to be on his majesty's service.

The 24 Geo. 3. c. 37. raised the rates of postage; but directs that no letter under one ounce be charged higher than as a treble letter.

Foreign letters suspected of containing prohibited goods, may be taken before a magistrate, and in his presence cut in the fold for the space of two inches, and if any such goods be found therein they are to be destroyed, and the letter sent to the commissioners of customs, who are to reward the postman with not more than 5*l.* nor less than 10*s.* But if no such goods are found, the magistrate shall inclose the letter in a cover with a proper attestation. *Ibid.*

This act is not to affect the penny-post. *Ibid.*

The whole superscription upon every letter to pass free shall be the hand-writing of the member directing the same, and shall have indorsed thereon, the name of such member, together with the name of the post-town from which the same is intended to be sent, and the day, month, and year, when the same shall be put into the post-office; the day of the month to be in words at length, and the whole to be of the hand-writing of the member; and such letter is to be put into the post-office the day on which it is franked: and no letter, to any member of either house, is to be exempted from the duty, unless such letter shall, during the sitting of any session of parliament, or within forty days before or after the summons or prorogation of the same, be directed to any such member at the place where he shall actually be, at the time of delivery thereof, or at his usual place of residence in *London*, or at the house of parliament, or the lobby thereof. *Ibid.*

Persons who by virtue of their offices, are authorized to send and receive letters duty-free, may continue so to do, under the same restrictions as members of parliament; but this is not to extend to the penny-post. *Ibid.*

Counterfeiting the hand-writing of any person in the superscription of any letter, in order to evade the duty of postage, is felony and transportation for seven years. *Ibid.*

By 25 Geo. 3. c. 57. all carriages, or horses carrying the mail shall be exempted from toll.



# RATES OF POSTAGE OF SINGLE LETTERS PURSUANT TO THE SEVERAL ACTS.

## *In England.*

From any post-office in <i>England</i> , to any place not exceeding		
one stage from such office,	—	2
Above one, and not exceeding two stages, and not passing		
through <i>London</i> ,	—	3
Above two stages, and not exceeding eighty miles, and not		
passing through <i>London</i> ,	—	4
Above eighty and not exceeding 150 miles, and not passing		
through <i>London</i> ,	—	5
To any place above 150 miles, and not passing through		
<i>London</i> ,	—	6

## *Scotland.*

Between <i>London</i> and <i>Edinburgh</i> , <i>Dumfries</i> , or <i>Cockburnspeth</i> ,		7
From any post-office in <i>Scotland</i> to any place not exceeding		
one stage from such office,	—	2
Above one stage, and not exceeding fifty miles, and not		
passing through <i>Edinburgh</i> ,	—	3
Above fifty and not exceeding eighty miles, and not pass-		
ing through <i>Edinburgh</i> ,	—	4
Above eighty and not exceeding 150 miles, and not pass-		
ing through <i>Edinburgh</i> ,	—	5
Above 150 miles and not passing through <i>Edinburgh</i> ,		6
Between <i>Port-patrick</i> in <i>Scotland</i> , and <i>Donaghadee</i> in <i>Ireland</i>		
by packet boats over and above all other rates,		2
Letters to and from any part of <i>England</i> and any part of <i>Scot-</i>		
<i>land</i> not passing through <i>London</i> , <i>Edinburgh</i> , <i>Dumfries</i> , or		
<i>Cockburnspeth</i> are not chargeable, if single, higher than		7

## *Ireland.*

Between <i>London</i> and <i>Dublin</i> , by way of <i>Holyhead</i>		6
— — — — — by way of <i>Carlisle</i> and <i>Port-patrick</i> ,		12

## *Foreign Letters.*

Letters from *London* to any part of *Holland*, *France*, or *Flanders* pay no foreign postage.

## *Postage of a single letter in British pence.*

From any part of <i>Holland</i> , <i>France</i> , or <i>Flanders</i> to <i>London</i> ,	d.	10
Between <i>London</i> and any part of <i>Spain</i> , or <i>Portugal</i> , through		
<i>France</i> , or by <i>Lisbon</i> ,	—	18
	Between	

## Prints and Engravings: 511

Between *London* and any part of *Italy, Sicily, Turkey, Switzerland,* and through *France,* } <sup>d.</sup> 15

Between *London* and any part of *Italy, Sicily, Turkey, Germany, Switzerland, Denmark, Sweden, Russia,* and all parts of the North, through *Holland or Flanders,* } 12

By 27 *Geo. 3. c. 9.* from *April 5, 1787,* the following postage shall be taken for the conveyance of letters and packets from *Milford Haven* to *Waterford,* viz. single letters 6 *d.* double 1 *s.* treble 1 *s.* 6 *d.* and for every ounce, 2 *s.*

The postage of letters from or to *London* or *Waterford,* by way of *Milford Haven,* shall not exceed the rates of postage between *London* and *Dublin,* by way of *Holyhead.* *Ibid.*

Monies arising under this act shall be appropriated as the present rates of postage now are.

## Posthumous Children.

By 10 & 11 *Will. 3. c. 16.* where estates are limited in remainder to the lawful issue of the body of any person, a posthumous son or daughter may take such estate, as if born in the lifetime, although there be no limitation to trustees to preserve the contingent remainders.

## Prints and Engravings.

By 8 *Geo. 2. c. 13.* persons who shall design, engrave, etch, or work in mezzotinto or chiaro oscuro, any historical or other prints shall have the sole right of printing and publishing the same, for fourteen years, so as the proprietor's name is affixed to each print.

Printsellers or others pirating or copying the same are to forfeit the plates, and also five shillings for every copy found in their custody, if prosecuted within three months, half the penalty to the king and half to the informer; but this act does not extend to purchasers of plates from the original proprietors. *Ibid.*

By 7 *Geo. 3. c. 38.* the original inventors, designers, or engravers of historical or other prints, and such who shall cause prints to be done from works of their own invention, and also such as shall engrave any print taken from any picture, drawing, model, or sculpture, are intitled to the benefit and protection of the above act; and those who shall engrave or import for sale, copies of such prints, are liable to the like penalties, with costs, so as prosecuted within six months.

The right intended to be secured by this and the above act is extended, and vested in the proprietors for the term of twenty-eight years from publication. *Ibid.*

By

By 17 *Geo. 3. c. 57.* if any engraver, shall within the above term, engrave or etch any print, without the consent of the proprietor, he shall be liable to an action for damages and double costs.

## Prisons.

By 3 *Ed. 1. c. 3.* the sheriff shall not levy any thing for the escape of a felon, until it be adjudged an escape by the justices in eyre.

By 1 *Ed. 2. stat. 2.* none shall have judgment of life or member for breaking of prison only, except the cause for which he was taken and imprisoned, did require such judgment, if he had been convicted thereof.

By 1 *Ed. 3. stat. 1. c. 7.* inquiry shall be made of sheriffs and gaolers, who, by duress, compel prisoners to appeal others.

By 4 *Ed. 3. c. 10.* sheriffs and gaolers shall receive felons without taking any thing therefore.

By 5 *Ed. 3. c. 8.* the marshal of the king's bench shall hire houses to keep the prisoners for felonies, and not suffer them to go at large by bail; and being found guilty thereof shall have half a year's imprisonment and ransom.

By 14 *Ed. 3. c. 10.* sheriffs shall have the custody of gaols; it shall be felony for a gaoler to make a prisoner become an appellor.

By 1 *Ric. 2. c. 12.* warden of the Fleet, suffering a prisoner there by judgment, to go at large, shall be liable to a writ of debt, and prisoner there, confessing a debt to the king, feignedly to delay another's execution, shall be remanded to the prison where he was before.

By 13 *Ric. 2. stat. 1. c. 15.* the king's gaols shall be rejoined to the bodies of the counties.

By 5 *Hen. 4. c. 10.* none shall be imprisoned by any justice of peace, but only in the common gaol, saving franchises which have gaols.

By 19 *Hen. 7. c. 10.* the sheriffs shall have the keeping of the common gaols, and patents thereof granted to others, except of inheritance, are void.

By 14 *Elix. c. 5.* and 43 *Elix. c. 2.* the justices of peace at their general quarter-sessions may tax every parish within the shire six pence or eight pence a week, so that the amount of such taxation does not exceed two pence for each parish, which is to be applied towards the relief of prisoners in the common gaol, and may be levied by distress.

There shall be sent out of every county yearly 20s. at the least to each of the prisons of the king's bench and marshalsea, to be levied on the parishes and paid by the treasurer to the lord chief justice, and to the knight marshal for the time being, to the use of the poor prisoners. 43 *Elix. c. 2.*

By 3 *Jac. 1. c. 10.* the charge of conveying offenders to gaol may be levied on their goods, and if they have not any, the justices



tices of peace by 27 Geo. 2. c. 3. may grant a warrant on the treasurer of the county for payment of the same.

By 13 Car. 2. stat. 2. c. 2. any person having cause of personal action against a prisoner in the Fleet, may sue an original thereupon, and an *habeas corpus ad respondendum*, in the common pleas, and declare, which not being pleaded to, judgment is to go by default, and the prisoner be in execution.

By 19 Car. 2. c. 4. the justices of peace may provide a stock of materials for setting poor prisoners to work, so that the parishes be not rated above six-pence a week.

The keeper with three justices of peace, on sickness happening among the prisoners, may remove them out of the common gaol. *Ibid.*

By 22 & 23 Car. 2. c. 20. no bailiff or officer shall carry persons in his custody to any tavern or alehouse, without their voluntary consent, to charge such prisoners for any wine, ale or victuals, but what they call for of their own accord: nor demand or receive any greater sum than by law ought to be taken.

All gaolers shall permit their prisoners to send for necessaries, where they please; and they shall not take any greater fee for their commitment or discharge, than what is allowed. *Ibid.*

The lords chief justices shall inquire into all charities given for the benefit of poor prisoners; and the rates of fees of prisons, signed by the lords chief justices, shall be hung up in every prison, fairly written, and no other fees shall be demanded or received. *Ibid.*

Felons and prisoners for debt, shall not be lodged together, but kept separate and in distinct rooms; and any one offending against any part of this act, shall forfeit his office, and treble damages to the party grieved. *Ibid.*

By 4 & 5 Will. & Mar. c. 21. plaintiffs may deliver a copy of a declaration to a prisoner, or to the keeper of the prison, and if such prisoner do not plead, the plaintiff shall have judgment.

By 8 & 9 Will. 3. c. 27. keepers of the king's bench or Fleet, suffering prisoners to go at large, or out of the rules, without *habeas corpus*, or rule of court, shall be guilty of an escape.

Upon judgment in an action of escape, the marshal or warden's fees shall be sequestered for satisfaction, and if they bring error, they must put in special bail. *Ibid.*

The marshal or warden taking any reward to connive at prisoner's escape, shall forfeit 500*l.* and be disabled. But this does not extend to the taking security from prisoners, who live within the rules only. *Ibid.*

No retaking on fresh pursuit shall be given in evidence on action of escape, unless specially pleaded, nor any special plea, unless upon oath that the escape was without consent. *Ibid.*

Prisoner in execution escaping, may be retaken by any new *capias*. *Ibid.*

Keeper's refusal to shew the prisoner to his creditor or attorney shall be adjudged an escape. *Ibid.*

Keepers are to give a note to any person wanting to charge a prisoner in execution, specifying his being in custody; on pain of 50*l.* *Ibid.*

The marshal and warden shall be answerable for escapes by their deputies, whom they have liberty to appoint. *Ibid.*

All conveyances of the inheritance of the king's bench and Fleet prisons shall be inrolled in six months after execution, or else be void. *Ibid.*

Persons having cause of action against the warden of the Fleet, may file a bill against him in the common pleas or exchequer, and for want of a plea sign judgment. *Ibid.*

Plaintiffs may deliver a copy of declaration to a prisoner in the Fleet, or to the turnkey; and in default of a plea may sign judgment, on an affidavit of the delivering a declaration. *Ibid.*

No prisoner shall pay chamber rent longer than while in actual possession, and not more than 2*s.* 6*d.* per week; keeper taking or demanding more, shall forfeit 20*l.* *Ibid.*

By 11 & 12 *W.* 3. c. 19. made perpetual by 6 *Geo.* 1. c. 19. justices of peace, on presentment of the grand jury, of the insufficiency of any gaol, may charge the necessary sum, for building or repairing, on the several hundreds of the county.

Murderers and felons shall be kept in the common gaol only, and the sheriff shall have the keeping thereof. *Ibid.*

This not to prejudice those who have any common gaol by inheritance: nor shall the inhabitants in any liberty who have a common gaol, be chargeable towards the common gaol of the county. *Ibid.*

Crown lands, whereon common gaols be situate, shall not be alienable, and no officer shall enter into the house of any peer of this realm, to distrain for the rates towards gaols. *Ibid.*

By 1 *Ann.* stat. 2. c. 6. prisoner escaping out of the king's bench or Fleet, a judge may grant warrants for retaking him, and thereupon he may be committed to the prison which the sheriff uses for debtors: the sheriff shall answer for such prisoner's escape after retaken; and bail for a prisoner retaken, may have a writ of detainer directed to the sheriff, who is to return the same, and whether the prisoner is in custody, on pain of 50*l.*

By 5 *Ann.* c. 9. confirming the above act, it is enacted, that an escape warrant may be granted on affidavit made in the country; and persons may be apprehended by such warrant on a *Sunday*.

Persons in custody for not performing a decree in chancery or the exchequer to pay money, afterwards escaping, the sheriff shall be liable to pay the same with costs. *Ibid.*

By 11 *Geo.* 2. c. 20. the money directed to be paid by 43 *Eliz.* c. 2. for relief of poor prisoners in the king's bench and marshalsea, shall be paid by the treasurer of every county in *England* and *Wales*, the first day of *Trinity* term, yearly, to the lord chief justice, and to the knight marshal, or to their appointees, equally to be divided between the prisoners of the said prisons.

Any treasurer neglecting or refusing to pay over such respective sums, upon report of the chief justice, or certificate of the knight marshal,

marshal, or certificate, on oath, of the appointees; and the king's bench may, by rule, compel such treasurer to pay the money. *Ibid.*

By 12 Geo. 2. c. 13. no attorney who shall be a prisoner, or within the rules, during such confinement, shall commence any action or suit. All proceedings therein shall be void, and he shall be incapacitated; but this is not to prevent his carrying on suits commenced before.

By 27 Geo. 2. c. 17. the prison of the court of king's bench, with power of appointing the marshal, was re-vested in the crown, under provisions and regulations for execution of the office, and government of the prison.

The marshal, his officers, and prisoners, are subject to the rules in 2 Geo. 2. c. 22. (*a temporary act, the clauses whereof are incorporated in 32 Geo. 2. c. 28.*) and shall take no other fees than allowed thereby. *Ibid.*

The marshal shall have the appointment of inferior officers; both marshal and officers are liable to be removed for non-residence, neglect of duty, or misbehaviour, as the court of king's bench shall judge on motion in a summary way.

Selling the office of marshal, or inferior offices thereto belonging, incurs forfeiture and disability; and the marshal shall keep the prison in repair. *Ibid.*

By 29 Geo. 2. c. 12. every person retailing ale, beer, or other liquors, in any prison, shall be deemed the keeper of a common alehouse, and subject to license from the justices.

By 32 Geo. 2. c. 28. no officer shall carry his prisoner to any tavern or other public house, without his consent; nor charge him for liquor or other things, except such as he shall freely call for, nor demand for caption or attendance, any other than his legal fee; nor exact any gratuity money; nor carry his prisoner to gaol within 24 hours after his arrest, unless he shall refuse to be carried to some safe house of his own appointment where arrested, or within three miles thereof.

Nor may the officer take for the lodging, diet, and other expences of such prisoner, more than shall be allowed, in such cases, by the sessions, a copy whereof shall be hung up in the sessions house. *Ibid.*

Sheriffs and the secondaries of the counties, shall deliver printed copies of these clauses to bailiffs, and make it part of the condition of the bond to be given by them, that they shall shew and deliver a copy of the said clauses to the prisoner, if carried to a public house, to be by him read, or heard read, before any liquors or victuals be brought in, on pain on the officer, besides breach of covenant, of being punished for a misdemeanor. *Ibid.*

Gaolers shall permit prisoners to send for what victuals, bedding, or linen they please, without any restraint. *Ibid.*

The lords chief justices of the king's bench, common pleas, and exchequer, with the mayor and two aldermen of London, for the prisons within the city; and the chief justices and baron, with three justices of peace for Middlesex and Surrey, for the prisons in the said counties, shall settle the fees to be taken by gaolers, and make rules and orders; and the sessions elsewhere. *Ibid.*



Rules and orders for the better government of the gaols and prisoners therein, shall be made by the respective courts in *Westminster Hall*, for the gaols belonging to such courts; duplicates of which fees, and orders shall be enrolled, and copies thereof hung up in courts of assize, sessions, and in prisons. *Ibid.*

The courts in *Westminster* are, every *Michaelmas* term, to enquire, whether such tables of fees and orders are duly hung up and complied with, and shall give notice to the prisoners of the time of enquiry. *Ibid.*

Judges and justices of assizes shall make a like enquiry, and redress complaints, and charge grand juries to enquire. *Ibid.*

Courts of *Westminster*, judges of assize, justices of peace, and commissioners for charitable uses, may enquire of bequests to poor prisoners, and send for papers and persons, and settle the payment, recovery and receipt of such bequests. *Ibid.*

Table of benefactions to be transmitted to, and registered by the clerks of the peace, and also to the gaolers of the prisons to which the same relate, and to be hung up in such prisons. *Ibid.*

Where gaolers shall be guilty of extortion, or other abuses, the court, upon petition of the prisoner, is to examine into the same in a summary way, and redress the abuse, and punish the offender. *Ibid.*

Gaolers shall take no other fees than what shall be allowed in the authenticated table of fees, and sheriffs or other officers offending against this act, shall forfeit 50*l.* (besides other penalties) to the party aggrieved. *Ibid.*

Debtors charged in execution for not more than 100*l.* (extended to 200*l.* by 26 *Geo.* 3. c. 44.) may petition the court, certifying therein the cause of imprisonment, with a schedule of their real and personal estates at the time, and charges affecting the same; and also the state of his effects at the time of his first imprisonment, and the securities, bonds, notes, and books relating thereto, with the particular witnesses. Fourteen days previous notice of such intended petition, to be given to the creditor, or his attorney, at whose suit he is charged in execution; and a copy of the schedule he intends to deliver into court. Affidavit of the due service of such notice to be delivered at the same time with the petition into court, and read openly, and a rule to be made, upon receiving the petition, for bringing the prisoner into court, and summoning the creditor, and the creditor appearing, or not appearing thereto, oath being made of the due service of the rule, the court to examine into the matter of the petition in a summary way; and administer an oath to the prisoner. *Ibid.*

The court may thereupon order an assignment to be made, on the back of the petition, of the prisoner's effects, subject to former incumbrances to the creditor, who may thereupon take possession, and sue as an assignee of a bankrupt; and the court shall order the prisoner to be discharged. *Ibid.*

Assignee to make sale of and divide the effects; but if the creditor shews cause of disbelieving the prisoner's oath, and desires time for further information, the court is to remand the prisoner back to

2 further day ; objections to the form of the schedule, shall be made the first time the prisoner is brought up. *Ibid.*

The creditor not appearing the second day, or not making a further discovery ; the court to make a rule for discharge of the prisoner, unless the creditor insist upon his detention, and covenant to allow him 2s. 4d. a week ; but upon failure, at any time, in the payment thereof, the prisoner, upon application to the court, shall be discharged upon executing such assignment and conveyance as aforesaid. Prisoner refusing to take the oaths, or being detected of falsity therein, or refusing to execute an assignment of his estate, to be continued in execution. *Ibid.*

Where more creditors than one insist on the prisoner's detention, they are to pay him each not exceeding 1s. 6d. per week. *Ibid.*

Prisoner charged in execution in county and other gaols, distant from *Westminster*, to proceed in like manner by petition and affidavit, and the court to make a rule thereupon, for his being brought up to the next assizes, 1s. per mile, to be paid to the gaoler for his expences, out of the prisoner's estate, or by the treasurer of the county. *Ibid.*

Creditors to be summoned, and a copy of the rule served on them ; and upon affidavit made of such service, the court to appoint a time for hearing the matter of the petition ; and the creditors appearing thereto, or not, proof being made of their being duly served with the notice, and copy of the schedule of the prisoner's estate, the court to proceed therein in a summary way ; and administer the oath to the prisoner ; and make such order in the premises as shall seem meet, and proceed as before concerning the prisoner's discharge. *Ibid.*

Prisoner refusing to deliver up his estate and effects to satisfy his creditors, they may compel him to be brought up, and deliver into court, a schedule of his estate and effects, giving him 20 days notice, in order that his estate and effects may be divested out of him, and assigned and conveyed as after directed. Like notice to be given of such intention to the other creditors, and also to the sheriff and gaoler, requiring them to bring up such prisoner, who is to be brought up accordingly, at the cost of the creditors, with a copy of the detainer. Sheriffs and gaolers making default, on tender of amends, forfeit 20l. to the party aggrieved, with treble costs. *Ibid.*

Prisoner, upon proof of due notice as aforesaid having been given him, is to deliver in, upon oath, to the court, a schedule of his estate and effects, and signed by him ; and is to assign and convey the same in trust, for the benefit of his creditors, they agreeing to his discharge, and to take a dividend ; but if any refuse, then the same to be in trust, for the creditors only requiring the prisoner to be brought up. Overplus remaining, after all charges, to be paid to the prisoner. Prisoner complying to the satisfaction of the court, to be set at liberty ; paying for his discharge fees 2s. 6d. Future effects of the prisoner liable to debts unsatisfied ; and no advantage to be taken of the statute of limitation, unless he was intitled thereto before he stood charged in custody on the original suit. Prisoner neglecting or refusing to deliver in a schedule of his estate and effects, or to make an assignment and conveyance thereof, to be transported for seven years ;

and delivering in a false account, to suffer the pains and penalties of wilful perjury, and be taken again in execution, and never have the benefit of this act. *Ibid.*

If the prisoner's effects shall not satisfy his debt and gaol fees, the gaoler shall receive only a proportionable dividend with the other creditors. *Ibid.*

Prisoners discharged, not liable to arrests for the same debt, unless perjured; but the judgment shall remain against their effects. *Ibid.*

Assignees of a prisoner's estate may compound debts, and refer disputes to arbitration, and may be removed by the court, on complaint of mismanagement. *Ibid.*

None intitled to the benefit of this act, who has had the benefit of any act of insolvency, unless compelled by a creditor to deliver up his estate and effects. This act is not to extend to *Scotland*. *Ibid.*

By 14 Geo. 3. c. 20. prisoners charged with felonies or other crimes, or as accessaries in *England* or *Wales*, and no bill found, or acquitted on trial, or discharged by proclamation for want of prosecution, shall be set at large in the court, without paying fees to the sheriff or gaoler, and their fee abolished, and in lieu thereof, the treasurer of the county, on the judge's certificate, to pay 13s. 4d. for each.

By 23 Geo. 3. c. 23. prisoners in the king's bench, or rules, shall not gain settlements in *St. George's* parish, by means of renting houses or lodgings, or being rated to the poor; nor their servants.

Relief given by the parish to families of persons who are in the king's bench or marshalsea, shall be repaid by their respective parishes; to be recovered by action of debt.

Relief given by the parish to the families of prisoners in the county gaol, or house of correction, shall be repaid by the treasurer of the county out of the county stock. *Ibid.*

The owners of houses let in tenements, shall be deemed the occupiers, and be answerable for the poor rates assessed thereon. *Ibid.*

By 24 Geo. 3. c. 54. the justices in sessions throughout *England* and *Wales*, upon presentment by the grand jury, may order county gaols to be rebuilt or enlarged.

Justices shall give public notice previous to their taking presentments into consideration; and contracts must be entered in a book. *Ibid.*

Justices may build a new gaol in any part of the county, if the presentment points out the improper situation of the old one. *Ibid.*

New gaols shall be divided into several distinct apartments according to 14 Geo. 3. c. 59. (see page 272.) justices may purchase houses and lands for enlarging and accommodating gaols. Prisoners may be removed for the building a new gaol, or repairing the old one, and such removal shall not be deemed an escape. *Ibid.*

Sessions may appoint a justice to inspect the county gaols, and to report the state thereof to the court. Accidental damages may be repaired by order of a justice. *Ibid.*

Expences



Expences of rebuilding or repairing county gaols shall be defrayed out of the county rates. When the amount of any estimate for so doing shall be very high, the sessions may mortgage the rates; but the money borrowed must be paid within 14 years. *Ibid.*

The justices may dispose of old gaols, and make purchases, and if the parties refuse to treat, the value is to be ascertained by a jury: and on payment thereof the justices may take possession. *Ibid.*

No justice acting under this act, shall be interested in any contract. *Ibid.*

Justices may appoint salaries to gaolers, in lieu of profits arising from the sale of liquors, and county treasurer shall pay the salaries. *Ibid.*

Chairman of the sessions shall not sign a certificate for any such payment, unless the salaries have been settled at a general quarter sessions. *Ibid.*

No gaoler shall suffer tippling or gaming, or sell wine, beer, or other liquors, in any such prison, on penalty of 10*l.* *Ibid.*

By 26 *Geo.* 3. c. 44. the relief granted to debtors not exceeding 100*l.* by 32 *Geo.* 2. c. 28. is extended to all not exceeding 200*l.* and creditors for sums not exceeding that sum, may compel a debtor to deliver up his effects.

Persons in prison for money due on awards for costs; or on a writ of excommunication for costs, are intitled to the benefit of this act. *Ibid.*

Gaolers shall give notice of this act to all debtors in their custody, on penalty of 50*l.* *Ibid.*

Debtors having neglected to take the benefit of the said act, within the time therein limited, and having been imprisoned one year, on making it appear that such neglect arose from ignorance, may take the benefit thereof. *Ibid.*

Creditors may file interrogatories for the examination of prisoners. *Ibid.*

This act does not extend to debts due to the crown, nor proceedings under a commission of bankrupt; nor to Scotland. *Ibid.*

*In force for five years.*

## Prizes.

By 13 *Geo.* 2. c. 4. officers, seamen, marines, and soldiers, in ships of war in his majesty's pay, shall have the sole property of all prizes, being first adjudged lawful prize in any court of admiralty, in such proportions as his majesty's proclamation shall direct. *Also* 17 *Geo.* 2. c. 34. 29 *Geo.* 2. c. 34.

Commissions to be granted in *Great Britain* and *America*, to commanders of privateers, and owners giving the usual security. *Ibid.*

For more speedy condemnation of prizes, the judges of admiralty, within five days after request to finish the preparatory examination; monition to be issued, if there be claimants, to give security in five days, to pay double costs, to proceed to sentence, &c. *Ibid.*

Parties aggrieved by sentence of any court of admiralty, may appeal to commissioners appointed under the great seal, for hearing appeals in prize causes. *Ibid.*

Commanders to forfeit treble value for all goods embezzled on board any prizes, one third part to *Greenwich* hospital, one third to the informer, and one third to the crown. *Ibid.*

Agents for sale of prizes, taken by any of the king's ships, to be nominated by the commander and officers. *Ibid.*

After public notice, shares of prizes not demanded in three years, to go to *Greenwich* hospital. *Ibid.*

Prizes brought into this kingdom or *America*, are not exempted from customs. *Ibid.*

His majesty may, during the present or any future war, grant charters or commissions to adventurers to take ships or forts. *Ibid.*

Five pounds per head to be paid for taking or destroying the enemies ships, for every man therein, by way of bounty, and captors are to appoint agents to receive the same. *Ibid.*

Goods of *British* subjects, retaken from the enemy, shall be restored to the owners, paying for salvage an eighth. *Ibid.*

Ships, taken by any privateer by collusion, shall be judged good prize to his majesty. *Ibid.*

By 17 *Geo. 2. c. 34.* privateers company shall have the profit of their prizes, according to their contract with the owners.

Offenders on board any privateer to be punished, as if on board ships of war; but offences that are only cognizable by a court martial, shall be tried accordingly in some port, and the offender confined on board. *Ibid.*

By 18 *Geo. 2. c. 31.* every person employed in any privateer, shall pay 6*d.* a month towards the support of *Greenwich* hospital.

Agents for prizes taken by his majesty's ships, to register their letters of attorney in the court of admiralty, in six months after condemnation, on penalty of 500*l.* *Ibid.*

By 20 *Geo. 2. c. 24.* persons serving on board his majesty's fleet, quitting their ships, forfeit their share in prizes, to the use of *Greenwich* hospital.

All bargains and sales of any share of prizes to be void, and agents to pay the same to the captors, without regard to bills of sale. *Ibid.*

All letters of attorney to receive shares of prize money, to be made revocable, and attested by the captain or commander. *Ibid.*

Prize ships, legally condemned, to be deemed as *British* built. *Ibid.*

By 22 *Geo. 2. c. 3.* commissions granted by his majesty for appeals in prize causes, are declared valid, and the commissioners may act, though not of the privy council, the major part of the commissioners present in judgment, being of the privy council.

By 33 *Geo. 2. c. 19.* all notifications of the payment of the shares of prizes condemned in *Great Britain*, or any of the *British* dominions, are to be inserted in the *London Gazette*, or in the gazette of the place where payable, and to be delivered to the principal officer,

officer, to be transmitted to the treasurer of *Greenwich* hospital, and registered, the agent's place of abode, the time appointed for payment of the shares to be inserted, and in like manner of the distribution of any bounty bills.

Agents neglecting or refusing to publish or deliver such notification, forfeit 100 *l.* over and above all former penalties, and collectors refusing to attest or transmit the same, forfeit 100 *l.* also *Ibid.*

The notifications so transmitted, attested, and registered, shall be sufficient evidence of the identity of the agents. *Ibid.*

All letters of attorney exhibited by agents, are to be duly registered by the registers of the admiralty courts, within fourteen days after being exhibited, and transcripts thereof to be transmitted by them, half yearly, to the treasurer of *Greenwich* hospital, on forfeiture of 100 *l.* One moiety of all forfeitures under this act is given to the use of *Greenwich* hospital. *Ibid.*

## Probate of Wills.

By 31 *Ed. 1. stat. 1. c. 4.* the king's justices shall hear and determine of extortion in bishops officers for the probate of testaments.

By 21 *Hen. 8. c. 5.* nothing shall be given for the probate of a will, when the goods of the deceased exceed not 5 *l.* value. When the goods are above 5 *l.* but not 40 *l.* the judge's fee is 2 *s.* 6 *d.* and the register's 1 *s.* Above 40 *l.* the judge's fee is 2 *s.* 6 *d.* and the register is to have 2 *s.* 6 *d.* or a penny for every ten lines of the will.

Executors and administrators shall deliver the testator's inventory by indenture between them and the ordinary, each to keep a part. Lands devised to be sold, are not to be accounted goods, and the ordinary is to give a copy of the probate or inventory to any person requiring and paying for the same. *Ibid.*

Any bishop or other person doing any thing contrary to this act, shall forfeit 10 *l.* but the ordinary may cite persons to prove or refuse, and to bring in an inventory as before. *Ibid.*

By 4 & 5 *Ann. c. 16.* probate of wills, and administrations of workmen in her majesty's yards and docks belong to the ordinary, where such persons happen to die; but salaries, or wages due to them for work done, shall not be deemed *bona notabilia.*

By 31 *Geo. 2. c. 10.* fees of court for probate of wills, or administrations of any seaman or marine, shall be only 1 *s.* unless the goods and chattels amount to 20 *l.* 2 *s.* under 40 *l.* 3 *s.* under 60 *l.* and for issuing commissions 1 *s.* under 20 *l.* 2 *s.* under 40 *l.* and 3 *s.* under 60 *l.* and no greater fees shall be taken, under penalty of 50 *l.*



## Process.

By 3 *Ed. 1. c. 45.* if defendant makes default, after first attachment returned, the great distress shall be awarded, and issues levied.

By 28 *Ed. 1. c. 15.* summons and attachment in plea of land, shall contain fifteen days, unless in assizes in the king's presence, and pleas in eyre.

By 6 *Hen. 6. c. 1.* upon indictment of any person in the king's bench, a *capias* shall be awarded against him, returnable at least six weeks before any exigent issued.

By 8 *Hen. 6. c. 10.* upon indictment or appeal against persons dwelling in the counties, before any *exigent* shall be awarded thereon, after the first *capias* returned, another writ of *capias* shall be awarded to the sheriff of the county where he was supposed to be conversant, containing three months from the date, otherwise the outlawry shall be void.

By 10 *Hen. 6. c. 6.* where the indictment is removed by *certiorari*, a second *capias* shall go to the sheriff, containing three months of the date of the last writ.

By 19 *Hen. 7. c. 9.* like process shall be had in the king's bench and common pleas, in actions upon the case, as in actions of trespass or debt.

By 23 *Hen. 8. c. 14.* like process shall be had in every writ of annuity and covenant, as in action of debt.

By 31 *Eliz. c. 3.* in real action, after every summons, there shall be fourteen days before the return, proclamation shall be made and returned, otherwise no grand cape shall be awarded, but alias and pluries summons.

By 13 *Car. 2. stat. 2. c. 2.* in *ejectione firme*, and in all personal actions, there shall not need to be fifteen days between the teste and the return of writs of *venire facias*, *fieri facias*, or *capias ad satisfaciendum*. But this does not extend to writ of *capias ad satisfaciendum*, whereon exigent is to be awarded, nor to such writ to make any bailable, nor to popular actions or indictments.

## Prohibition.

By 13 *Ed. 1. stat. 4.* the king's prohibition shall not withhold the ecclesiastical judge in plea of things merely spiritual, penance for deadly sin, as fornication, adultery, reparation of the church, mortuaries, oblations, tithes, striking a clerk, and defamation.

By 24 *Ed. 1.* where it appears on prohibition, that the case cannot be redressed by any writ out of chancery, but that the spiritual court ought to determine, a consultation shall be awarded, that the ecclesiastical judges proceed.

By 9 *Ed. 2. c. 1.* no prohibition shall be granted in suits for tithes, and obventions; but prohibition lies, if the suit be for money for tithes sold, being gathered and turned into chattels temporal.

## Protections.

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In suits for tithes that have original from the right of patronage, if the quantity amounts to a fourth part of the value of the church, prohibition shall hold; so if he enjoin penance pecuniary, but not for pecuniary redemption of a penance corporal. *Ibid. c. 2.*

In defamations prelates shall correct, notwithstanding prohibition. *Ibid. c. 4.*

No prohibition shall be where tithe is demanded of a new mill. *Ibid. c. 5.*

By 1 *Ed. 3. stat. 2. c. 11.* prohibition lies on a suit for defamation brought against indictors.

By 18 *Ed. 3. stat. 3. c. 5.* no prohibition shall be awarded, but where the king ought to have the cognizance.

By 50 *Ed. 3. c. 4.* after consultation duly granted, no prohibition shall be allowed, the matter in the libel not being changed.

By 2 *Hen. 5. stat. 1. c. 3.* a copy of the libel in the spiritual court shall be delivered presently to the defendant. (See *Limitations.*)

## Prophecies.

By 5 *Eliz. c. 15.* persons publishing false prophecies, with intent to raise sedition, if prosecuted within six months, shall forfeit 10*l.* and suffer imprisonment for a year; and for a second offence, incur forfeiture of all their goods.

## Protections.

By 33 *Ed. 1. stat. 1.* the adverse party may challenge a protection, and aver that they were within the four seas, and out of the king's service in a place certain.

By 25 *Ed. 3. stat. 5. c. 19.* parties shall have their actions against their debtors, notwithstanding the king's protection: but execution shall be suspended, until gree made to the king of his debt; and if the plaintiff will undertake for the king's debt, he shall have execution accordingly.

By 1. *Rich. 2. c. 8.* no protection with a clause of *volumus*, shall be allowed for victual bought upon the service which the protection mentions; nor in contracts perpetrated after the date of the protection.

By 13 *Rich. 2. c. 16.* no protection with clause of *prosecurus* shall be allowed in any plea commenced before the date of the protection, if it be not in voyage royal: The protection *quia moraturus* shall be allowed as before; if any tarry without going to the service or return, the chancellor shall repeal such protection.

By 7 *Hen. 4. c. 4.* in an action of debt against a gaoler for an escape, no protection shall be allowed.

Surplices.

## Purprestures.

By 4 *Ed. 1. c. 4.* purprestures, or any manner of usurpations upon the king, may be resealed out of the hands of the usurpers.

## Purveyance.

By 34 *Ed. 3. c. 2.* no purveyance shall be made, but for the king, the queen, and the prince their eldest son.

By 12 *Car. 2. c. 24.* none by authority under the great seal, shall purvey for the king, queen, their children or household, any timber, fewel, cattle, grain, hay, victuals, carts, or carriages, without free consent, and without inforcement.

No pre-emption shall be allowed or claimed on pretence of purveyance, on pain of imprisonment, treble damages, and treble costs, and staying action against offender by order of any other court, shall incur *præmunire*; saving the king's ancient rights in the flannaries, butlerage, and prizage of wines. *Ibid.*

## Quakers.

BY 13 & 14 *Car. 2. c. 1.* quakers or others denying any oath to be lawful, and assembling themselves together under pretence of joining in religious worship, shall forfeit 5 *l.* or three months imprisonment, for the first offence, 10 *l.* or six months imprisonment for the second offence, and for the third, shall abjure the realm, or be transported.

By 1 *Will. & Mar. sess. 1. c. 18.* quakers or others who scruple the taking of any oath, shall subscribe the declaration of fidelity, and profession of christian belief, and be exempted from all pains and penalties. *Also* 8 *Geo. 1. c. 6.*

By 7 & 8 *Will. 3. c. 34.* quakers, instead of an oath, shall be permitted, in courts of justice, to make their solemn affirmation, which shall be of the same force in law as an oath, and liable to the same penalties in case of perjury; but this shall not admit them to be evidence in any criminal causes, to be jurors, or hold any office in the government.

If quakers refuse to pay or compound for their great or small tithes, or to pay any church rates, two justices may compel them thereto, if the sum be under 10 *l.* but they may finally appeal to the quarter sessions, who may award costs. *Ibid.* and 1 *Geo. 1. c. 6.*

By 12 *Geo. 2. c. 13.* quakers who have served a clerkship with an attorney, may be admitted on solemn affirmation.

By 22 *Geo. 2. c. 30.* the united brethren of the Moravian churches, may make solemn affirmation in lieu of an oath, of like force.

By



By 32 Geo. 2. c. 46. affirmation of quakers shall be received in all cases where oath is required by any act of parliament, with like penalty, in case of false affirming, criminal cases excepted.

## Quebec.

The 14 Geo. 3. c. 83. declared, that all the territories in *North America* belonging to *Great Britain*, in a line South of *Bay Chaleur*, along the high lands dividing the rivers running into the river *St. Lawrence*, from those falling into the sea to a point 45 degrees North latitude on the East bank of the river *Connecticut*, in the same latitude West, through *Lake Champlain* to the river *St. Lawrence*, thence up the same river to *Lake Ontario*, and through the same to the river *Niagara*, and thence along the East and South East bank of *Lake Erie*, till it is intersected by the North boundary of the Province of *Pennsylvania*, and along the North and West boundaries of the same, till it strikes the river *Ohio*; but if not so intersected, then to the point of the bank nearest to the North West angle of *Pennsylvania*, and from thence along the West boundary, till it strikes the river *Ohio*; and along the banks West to the river *Mississippi*, and North to the South boundary of the *Hudsons Bay* company; and also all territories made part of the government of *Newfoundland* since *February 10, 1763*, are annexed to, and are part of, the province of *Quebec*; but not to affect the boundaries of the other colonies, or any former grants, and all former provisions made for *Quebec* void.

The inhabitants may profess the Romish religion, subject to 1 Eliz. c. 1. and on taking the oath specified, and the clergy to enjoy their dues in respect only to such as profess that religion, and the king may make provision for protestant clergy. *Ibid.*

Refusing the oath subject to the penalties in 1 Eliz. c. 1. and all civil disputes (except as to lands granted by the king) to be determined by the laws and customs of *Canada*, but the criminal law of *England* is to take place. *Ibid.*

The king to appoint a council of not more than twenty-three, nor less than seventeen, who may make ordinances with the consent of the governor, but not to lay taxes (except for public roads and buildings) subject to the king's approbation, and the king may erect courts criminal, civil, and ecclesiastical. *Ibid.*

On importation into the province to be paid, viz.		<i>l.</i>	<i>s.</i>	<i>d.</i>
For <i>British</i> brandy, or spirits per gallon	—	0	0	3
For rum from the <i>West India</i> colonies	—	0	0	6
The like from other colonies of <i>America</i>	—	0	0	9
For foreign brandy, or spirits from <i>England</i>	—	0	1	0
For rum or spirits, the produce of <i>American</i> colonies, not under <i>Great Britain</i>	—	0	1	0
For melasses and syrups in ships of <i>Great Britain</i> , <i>Ireland</i> , or this province	—	0	0	3
In other ships	—	0	0	6
To				

To be paid in sterling money of *Great Britain*, for defraying the expences of administering justice, and the civil government of the province, and the residue to be disposed of by parliament. *c. 88.*

Goods passing the port of *St. John*, near the river *Sorrel*, or brought by inland navigation (except by the river *St. Lawrence*) to be entered and pay duties; and every public house to pay 1 *l.* 16 *s.* sterling for a license; and the *French* territorial revenues to continue. *Ibid.*

## Rape.

**B**Y 3 *Ed. 1. c. 13.* any who shall ravish or take away by force any maid within age (though with her own consent) or any married woman, maid at full age, or any other woman against her will shall suffer two years imprisonment, and be fined; and if none commence suit in forty days, the king shall sue.

By 6 *Ric. 2. c. 6.* women ravished, afterwards consenting to such ravisher, they shall be disabled respectively from having inheritance, dower, or seoffment, and the same shall remain as if they were dead; the husbands or fathers of such women may convict the ravishers of life, and the defendant in such appeal of rape, shall not be received to wage battle.

(See page 237.)

## Receipt.

By 20 *Ed. 1. stat. 3.* where a stranger comes in by a collateral title, he shall be received, first finding sufficient sureties to answer the demandant the value of the lands recovered.

By 13 *Ric. 2. c. 17.* in a suit against the particular tenant, he in the reversion may pray to be received, at or before the day that the tenant pleads, and he shall be received to plead in chief without taking any delay; days of grace may be given by discretion of the judges between the demandant and him that is received.

Reversioner praying to be received, shall find surety of the issues of the lands for the time the demandants be delayed. *Ibid.*

## Receivers.

By 34 & 35 *Hen. 8. c. 2.* general receivers of taxes shall pay into the exchequer in three months after receipt; on forfeiture of office, and 4 *s.* for every pound detained per month.

Tender of payment by such receiver within the three months, sufficient, though not received through importunate business. *Ibid.*

The receiver's heir shall be chargeable only for lands by descent or assurance by covin. *Ibid.*

Executors

Executors or administrators of such receiver shall be chargeable only as in debt at common law. *Ibid.*

The heir of such receiver being charged, shall have remedy over against the executors. *Ibid.*

This act does not extend to collectors of custom, or subsidy of tonnage and poundage, or pensions. *Ibid.*

By 7 *Ed. 6. c. 1.* every receiver general, or person chargeable with receipt of any of the king's revenues, shall be bound with sureties for his true account and payment.

Receivers of the king's honours, manors and lands shall make precepts to collectors to make payments of the sums received, at a certain day and place, and the king's receivers may distrain for the arrearages of rent. *Ibid.*

Receivers taking more than the lawful fee, shall forfeit for every penny so received 6s. 8d. But this act does not extend to the collectors of dismes. *Ibid.*

By 13 *Eliz. c. 4.* the lands of receivers accountable to the king, or purchased in other names shall be liable to execution for arrears due to the king, as if bound by statute staple the day they became accountants.

After six months non-payment of arrears by receiver, on account stated the king may sell his lands for satisfaction of his debt, and the overplus shall be delivered to such accountant. *Ibid.*

This is not to charge the lands of a bishop having the collection of tenths, nor receivers whose yearly receipts do not exceed 300l. nor does it extend to sheriffs. *Ibid.*

By 14 *Eliz. c. 7.* the last act making treasurers and receivers lands liable for payment of the king's debts shall extend to under-collectors of tenths and subsidies.

By 27 *Eliz. c. 3.* lands of a receiver accountant to the king may be sold as well after the death of such accountant as in his life-time, where the debt is known within eight years after his death.

A scire facias shall be sued against the accountant's heir, and if he does not, on two *nichils* returned, shew that the executors have assets, the lands may be sold. *Ibid.*

This is not to defeat a purchaser of the heir before any scire facias made *bona fide*. *Ibid.*

To extend to officers of receipts and accounts to the king only; and not to where the accountant has in his life-time been discharged. *Ibid.*

No sale shall be made of the heir's lands during his minority, but they shall be liable to such sale during eight years after his accomplishing his full age. *Ibid.*

By 20 *Car. 2. c. 2.* receivers not duly accounting according to the course of the exchequer, within two months after receipt of money to the king's use, shall pay 12l. *per cent.* until payment. But it does not extend to sheriffs.

By 3 *Geo. 1. c. 4.* and 7 *Geo. 1. c. 20.* the treasury may make allowances to receivers for extraordinary charges in bringing up the money, over and above the poundage allowable.

By



By 25 *Geo. 3. c. 35.* the court of exchequer, on application of the attorney general, may order the estate of any debtor to his majesty, to be sold, and the surplus if any, after payment of debt and costs, shall be paid to the persons intitled thereto; and the court of exchequer may make an order for the production of title deeds.

## Recognizances.

By stat. of acton burnel 11 *Ed. 1. stat. 1.* the merchant may cause the debtor to come before the mayor of *London, York, or Bristol*, or the mayor, and clerk appointed, to acknowledge the debt; and the recognizance is to be entered in a roll; afterwards a bill obligatory is to be drawn with the seal of the debtor, and the king's seal, in the custody of the mayor. If the debtor fails in payment, his chattels shall be seized and sold to satisfy the debt; and if the debtor has no moveables in the mayor's jurisdiction, the mayor shall send the recognizance to the chancellor, who shall issue a writ to the sheriff to levy the debt.

By 13 *Ed. 1. stat. 3.* if the debt be not paid at the day, the mayor may cause the debtor to be imprisoned till he agree the debt; if he do not satisfy the same in a quarter of a year, his lands and goods are to be delivered to the merchant, on a reasonable extent, to hold till the debt be levied. On *non est inventus* returned, the merchant shall have writs to all sheriffs where he has land. Two merchants are to be chosen in *London*, and the seal opened before them, one piece whereof is to be delivered to the merchants, and the other to remain with the clerk.

By 14 *Ed. 3. stat. 1. c. 11.* every clerk deputed to take recognizances, according to the statute merchant, shall attend in person upon his office, and have sufficient lands in the same county, whereof he may answer.

By 27 *Ed. 3. stat. 2. c. 9.* every mayor of the staples, shall have power to take recognizances of debts acknowledged before him, in the presence of the constables of the staple; and there shall a seal remain with the mayor; and upon such obligation, after default of payment, the mayor may imprison the debtor, arrest his goods, and sell them to satisfy the creditor. If the debtor be not found within the staple, the mayor shall certify the obligation into chancery, from whence there shall issue a writ against his person, lands and goods, as in case of statute merchant.

By 5 *Hen. 4. c. 12.* if a statute merchant certified, has on a writ to the sheriff, been returned, and once shewed in the common pleas; notwithstanding the process be discontinued, the party may have the same recontinued, and execution awarded, without shewing thereof again.

By 11 *Hen. 6. c. 10.* persons suing by writ *de corpus cum causa*, or *scire facias*, to defeat an execution upon a statute staple, shall find surety both to the king and recognizee to prosecute.

By

By 23 *Hen. 8. c. 6.* the chief justices of the king's bench, and common pleas, and out of term the mayor of the staple at *Westminster*, and the recorder of *London*, jointly, may take recognizances for the payment of debts; and the recognizees shall have the like process and execution, as upon obligations of statute staple. The clerk's fee for acknowledging such recognizance shall not exceed 3s. 4d.

By 29 *Car. 2. c. 3.* the day of the inrolment of recognizances shall be set down in the margin of the roll, and lands of *bona fide* purchasers, shall be bound from that time only.

By 8 *Geo. 1. c. 25.* the clerk of the recognizances shall yearly engross the full tenor in the very words of the recognizance, on three rolls signed and sealed; the one containing all recognizances entered into before the chief justice of the king's bench, the other one entered into before the chief justice of the common pleas, and third all that were taken before the mayor of the staple, and the recorder of *London*; and he shall also keep a docket with the date of the acknowledgment, in order that purchasers may search.

If any loss happens to such recognizance, the same shall be certified by the clerk into chancery, with a transcript of the entry on the rolls annexed, and in case of loss, a copy from the roll, signed and sealed, shall be good evidence of such statute. *Ibid.*

The prosecutor of recognizance, on suing out execution, instead of poundage for the sum contained in the recognizance, shall deliver into the office a note testifying the sum intended to be extended, and one half-penny in the pound only shall be taken as poundage. *Ibid.*

If the extent proves deficient, or lands have been evicted, or process mistaken, the court of chancery may award re-extents, for satisfying the same. *Ibid.*

The sheriff shall not take more fees for the extent and liberate, and *habere facias possessionem* or *seisinam* than allowed by 3 *Geo. 1. c. 15. viz. 1s.* in the pound of the yearly value of the estate, where it exceeds not 100*l.* a year. *Ibid.*

# Records.

By 9 *Ed. 3. stat. 1. c. 5.* justices of assize, gaol delivery, and of oyer and terminer, shall send all their records and processes determined, into the exchequer yearly, to be kept in the treasury, and for taking estreats.

By 8 *Ric. 2. c. 4.* false entry of pleas, raising of rolls, changing of verdicts, to the disherison of any party, by any judge or clerk, shall be punished by fine and ransom, and satisfaction to the party.

By 11 *Hen. 4. c. 3.* justices of assize shall deliver into the treasury the records every other year; records shall not be amended or impaired in any term after judgment given and inrolled.

By 8 *Hen. 6. c. 12.* willingly embezzling any record or process whereby judgment shall be reversed, is felony.

## Recoveries.

By 6 *Ed. 1. c. 11.* a feigned recovery against him in the reversion shall make the tenant lose his term, if challenged and found before judgment, the termor shall enjoy his term.

By 13 *Ed. 1. c. 4.* on recovery by default against the husband to defeat the wife of dower, she may have a *quod ei deforceat*; so of tenant for life.

By 7 *Hen. 8. c. 4.* recoverors of lands may distrain, avow, have *quare impedit*, in the same manner as they might have done against whom such recovery was had.

By 21 *Hen. 8. c. 15.* tenant for years may falsify a feigned recovery had against him in the reversion, in like manner as tenant of freehold. And no statute or execution by elegit shall be avoided by a feigned recovery.

By 14 *Eliz. c. 8.* recoveries by assent, against tenant for life, without assent of him in reversion, or good title, shall be void.

By 14 *Geo. 2. c. 20.* common recoveries shall be valid without surrender of freehold leases; the next in remainder for life joining.

The deed making a tenant to the writ of entry, shall be sufficient evidence of a recovery for purchasers, after twenty years possession; and common recoveries, after twenty years shall be deemed good, if it appear thereon that there was a tenant to the writ, though no deed for making such tenant appear. *Ibid.*

A recovery shall be deemed good, though the deed for making the tenant be executed after the time of the judgment, so that it be executed before the end of the term. *Ibid.*

## Rectories.

By 29 *Car. 2. c. 8.* augmentations shall continue during the estate upon which they are reserved, and afterwards, with remedy of distress for the same, so that they do not exceed one moiety of the value of the rectory.

Augmentation leases and agreements are to be registered in the diocese for which a fee of 5*s.* is due, and a copy thereof is good evidence. *Ibid.*

Augmentations shall be favoured in construction as charitable uses; and new leases without express continuance of the augmentations shall be void. *Ibid.*

## Recusants.

By 23 *Eliz. c. 1.* persons performing mass shall forfeit 200 marks or be imprisoned one year, and those who hear mass are to forfeit 100 marks, and be imprisoned one year.



Any one not coming to church, contrary to 1 *Eliz. c. 2.* (see *Service and Sacraments*) shall forfeit to the crown, for every month he shall so forbear, the sum of 20*l.* and if absent twelve months shall find sureties for his good behaviour. *Ibid.*

Any person keeping a schoolmaster who does not repair to church, or is allowed by the bishop of the diocese, shall forfeit 10*l.* a month: and such schoolmaster, convicted of teaching, contrary to this act, shall be disabled to be a teacher, and suffer one year's imprisonment. *Ibid.*

Every person guilty of recusancy (except treason or misprision) conforming shall be discharged of all forfeitures. *Ibid.*

It does not extend to persons using divine service in their own houses so as they resort to church four times a year at least. *Ibid.*

Fraudulent deeds to defeat forfeitures are void; and ecclesiastical censures are not abridged. *Ibid.*

By 29 *Eliz. c. 6.* conveyances made by recusants, subject to their revocation, shall not exempt the lands from being seized for her majesty's use.

Convictions of recusancy may be in the courts of king's bench or at the assizes, or gaol delivery, and shall be certified into the exchequer. *Ibid.*

The crown may take all the offender's goods, and two-thirds of his lands, for default of payment of the 20*l.* for every month. *Ibid.*

On an indictment, if the offender was abroad, he shall be discharged, but default of appearance is a conviction. *Ibid.*

This act is not to make void any lease whereon the usual rent is reserved; and the seizure is to continue only during the life of the offender. *Ibid.*

By 35 *Eliz. c. 1.* persons obstinately refusing to come to church, and persuading others to impugn the queen's authority in ecclesiastical matters, or to neglect church, or being present at unlawful conventicles for religion, shall be imprisoned till they conform.

An offender not conforming within three months shall abjure the realm, and if he refuses to abjure, does not depart, or returns without license, he is guilty of felony without clergy. *Ibid.*

An offender shall be discharged upon his open submission in church which is to be recorded by the minister; and if he falleth into a relapse, he shall be in the same state as before. *Ibid.*

Popish recusants or feme coverts are not to abjure under this act; and they who do abjure, are to forfeit all their goods, and their lands during life. *Ibid.*

Popish recusant convict shall not remove above five miles from the place of his usual abode, on forfeiture of lands and tenements. *Ibid.*

*c. 2.*  
A popish recusant copyholder, departing five miles from his place of abode, shall forfeit his copyhold to the lord of the manor, unless he be a popish recusant convict, and in such case to the crown. *Ibid.*

Recusants not repairing to, or leaving their usual dwelling, afterwards not conforming, shall on warning depart the realm, as

in cases of abjuration; feme coverts and persons having freehold of 20 marks and goods of 40*l.* are excepted. *Ibid.*

Refusing to abjure, not departing, or returning without license is felony without clergy. *Ibid.*

A suspected jesuit or priest refusing to answer shall be imprisoned. *Ibid.*

Persons compelled to appear in courts, or before the privy council by process, are exempted from the pains for travelling from home. *Ibid.*

A popish recusant shall be discharged upon open submission, but on a relapse is subject to former pains. *Ibid.*

By 1 *Jac.* 1. c. 4. persons sending children beyond sea to be educated in the popish religion shall forfeit 100*l.* and the person sent shall be disabled to hold any lands, or personal estates; but on conformity are to be discharged.

No woman or child under twenty-one shall pass over the seas, without license of the privy council, on pain of forfeiting the ship, and the goods of the master and mariners, who are likewise to be imprisoned twelve months. *Ibid.*

No person shall be a schoolmaster except in some public or free grammar school, or in the house of some gentleman, who is not a recusant, or licensed by the bishop of the diocese; on pain of 40*s.* a day. *Ibid.*

By 3 *Jac.* 1. c. 4. a conforming recusant who does not receive the sacrament yearly shall forfeit 20*l.* for the first year, 40*l.* for the second year, and 60*l.* for every other year.

The parish officers shall yearly present the monthly absence of popish recusants from church, at the quarter sessions; on pain of 40*s.* which presentments are to be recorded on the like pain, and for every conviction on such presentment the parish officers shall have a reward of 40*s.* out of the offender's goods. *Ibid.*

Offenders once convicted are to pay into the exchequer 20*l.* for every month in the indictment, and 20*l.* every month after, without fresh indictment. But the king may refuse these penalties, and seize two-thirds of the offender's lands till conformity. *Ibid.*

The bishop of the diocese, or two justices may require all persons (except peers) to take the oaths of allegiance, and on their refusal, and certificate thereof to the quarter sessions or assises, the oath may again be tendered there, and on refusal they shall incur a *præmunire*; except feme coverts, who are to be imprisoned till they conform. *Ibid.*

No indictment of a recusant shall be reversed for want of form; but on conformity such indictment shall be avoided.

Putting in practice to absolve or withdraw any from their obedience, or to reconcile them to the pope shall be *high treason*, and persons withdrawn or reconciled are likewise guilty of *high treason*: but this does not extend to persons who within six days after their return take the oaths. *Ibid.*

Not repairing to church every Sunday is a forfeiture of 1*s.* for each default, if impeached within one month; but are to be punished but once for one offence. *Ibid.*

Relieving

Relieving or keeping a recusant in the house is a forfeiture of 10*l.* a month, excepting the father or mother, or ward. *Ibid.*

The house may be broke into, to take a recusant excommunicate; the authority of the ecclesiastical courts is saved; and no forfeiture is incurred for the wife's offence. *Ibid.*

He who discovereth any recusant priest or mass, shall have a third of the forfeitures under 150*l.* and if above, 50*l.* only. *Ibid.*

c. 5. A popish recusant shall not come to the court where the king shall be, or his heir apparent, unless by warrant of privy council, on pain of 100*l.* *Ibid.*

A recusant, on license, from the privy council, or four justices of peace, may go five miles from their habitation. *Ibid.*

Recusants are disabled to practise the common law, civil law, or bear office in any courts, or under government. *Ibid.*

Married women, being popish recusants convict, are disabled to be administratrixes to their husbands, and are to forfeit two parts of their jointure and dower. *Ibid.*

Convict of popish recusancy, shall be deemed as excommunicated. *Ibid.*

Popish recusants convict, married otherwise than according to the orders of the church of *England*, are disabled to claim any estate in dower or by the curtesy. *Ibid.*

Popish recusants not causing their children to be baptized by a lawful minister, within one month, shall forfeit 100*l.* *Ibid.*

Burying any popish recusant not excommunicate out of the church or church-yard, is a forfeiture of 20*l.* *Ibid.*

Children sent beyond seas, to prevent their good education in *England*, not being mariners, merchants, or with license, shall be disabled to take by conveyance, descent or will, until they conform; and persons sending them forfeit 100*l.* *Ibid.*

Recusants convict are disabled to present to any benefice, ecclesiastical donative, or hospital, and their benefices in the several counties are given respectively to the universities of *Oxford* and *Cambridge*. *Ibid.*

Recusants convict are disabled to be executors, or administrators or guardians, and the next of kin to such child to whom the inheritance cannot descend, who usually resort to church, shall have the guardianship. *Ibid.*

No person shall import popish or superstitious books, on pain of 40*s.* per book. *Ibid.*

Justices of peace may search the houses of popish recusants convict, for popish books and relicks, which are to be defaced at the sessions. *Ibid.*

The arms and ammunition of popish recusants convict may be seized by warrant of justices at their sessions. *Ibid.*

By 7 *Jac.* 1. c. 6. a married woman being convicted as a popish recusant, not conforming, in three months, may be committed to prison until she does, unless the husband pays the king 10*l.* a month or a third of all his lands.



By 25 *Car. 2. c. 2.* all persons that bear any offices civil or military, shall take the oaths of allegiance, supremacy, and likewise subscribe the declaration against transubstantiation, on pain of disability to hold any office, take any thing by legacy or gift, to sue, be executor, administrator, or guardian; and they are also to forfeit 500*l.*

Persons not bred up in the popish religion, suffering their children to be educated therein, are disabled to bear any office of profit or trust. *Ibid.*

This does not extend to non-commissioned officers in the navy, subscribing the declaration; nor to parish or like inferior offices. *Ibid.*

By 16 *Geo. 2. c. 30.* persons admitted into offices shall receive the sacrament within six months after.

## Register.

By 2 *Ann. c. 4.* a memorial of all deeds, conveyances, wills and the like, made in the East Riding of *Yorkshire*, may be registered, and if not, shall be deemed fraudulent and void against subsequent purchasers.

The register shall keep an office at *Wakefield*, and be elected by balloting of all the freeholders in the West-riding of 100*l. per ann.* *Ibid.*

Memorials shall be registered in parchment, shall be numbered, dated, filed, and entered. *Ibid.*

This act extends not to copyhold estates, or leases at a rack-rent. *Ibid.*

A memorial of deeds, &c. made in *London*, or elsewhere, touching any lands in the West-riding may be registered on affidavit, and the register shall give a certificate. *Ibid.*

Persons forging or counterfeiting memorials or certificates, incur the penalties of 5 *Eliz. c. 14.* against forgers; and persons forswearing themselves before the register, the same penalties as in the courts at *Westminster*. *Ibid.*

Memorials of wills registered within six months after the death of a testator if he dies in *England*, and three years after, if he dies beyond sea, shall be effectual. *Ibid.*

No member of parliament shall be chosen register; nor any register be capable of being chosen a member of parliament. *Ibid.*

By 5 *Ann. c. 18.* bargains and sales of lands in the West-riding of *Yorkshire*, inrolled in the register's office at *Wakefield* shall be good in law, as if inrolled at *Westminster*; the same to be in parchment certified, and allowed.

No judgment, statute, or recognizance shall affect lands in the West-riding, but from the time that a memorial thereof be entered in the register's office. *Ibid.*

On certificate that money due on mortgage, judgment, statute, or recognizance is paid, the register shall make an entry thereof. *Ibid.*

By 6 *Ann. c. 35.* a register-office, under like directions, is established for the East-riding of *Yorkshire* and the town of *Kingston upon Hull*; which office is directed to be held at *Beverly*. And the 8 *Geo. 2. c. 6.* establishes a like office for the North-riding, to be held at such place, as the justices of peace adjudge most central.

By 7 *Ann. c. 20.* all conveyances and wills, that may affect any lands in *Middlesex* may be registered, and every conveyance or will shall be void against any after-purchaser, unless such memorial thereof be registered before that under which the subsequent purchaser claims.

The clerk of inrolment in chancery for *Middlesex*, (*the master of the king's bench office* by 25 *Geo. 2. c. 4.*) the clerk of the warrants in the common pleas, and the remembrancer or his deputy, in the exchequer, shall be registers; the office shall be kept near the inns of court, and the deputy shall be approved by the lord chancellor, who may make rules and orders. *Ibid.*

Memorials shall be in parchment attested, specifying the date, and effect of the deed, and a certificate indorsed shall be evidence. The register shall be paged, numbered, and entered in order of time. *Ibid.*

Memorials of wills shall be registered in six months after the death of a testator in *Great Britain*, if dying beyond sea, in three years. *Ibid.*

The register shall be allowed for the entry of every memorial of 200 words 1 *s.* and 6 *d.* for every 100 words after. *Ibid.*

This act does not extend to copyhold estates, or leases at a rack rent, or to any chambers in the inns of court, and no judgments, statutes, or recognizances, other than to the crown, shall bind lands in *Middlesex*, but from the time of memorial thereof entered. *Ibid.*

# Rents.

By 32 *Hen. 8. c. 37.* the executors of tenants in fee, in tail, or for lives, shall have action of debt, and may distrain, for arrears of rent due to their testator in his life-time.

This does not extend to *Wales*, where a fine is paid for redemption of duties. *Ibid.*

The husband or his executors, may have debt or distress, for rent due in the right, and in the life of the wife. *Ibid.*

Any person intitled to rent, the estate whereof depends on another's life; after the death of *cestui que vie*, he or his executors, may have debt; or distrain for the arrears. *Ibid.*

By 8 *Ann. c. 14.* where goods and chattels of a tenant who owes arrears of rent, not more than one year, are taken in execution, the plaintiff before removal of such goods, shall pay the landlord his rent due; and the sheriff shall levy the rent as well as the execution money.

Where goods are fraudulently removed from the premises to prevent a distress, the landlord (*within thirty days* by 11 *Geo. 2. c. 19.*) may

may distrain the same wherever found, unless sold for a valuable consideration. *Ibid.*

Persons may distrain for rent arrear, within six months after the determination of any lease for life, years, or at will. *Ibid.*

An action of debt may be brought against a tenant for life, or lives, for arrears of rent, in the same manner as against lessee for years. *Ibid.*

By 4 Geo. 2. c. 28. tenants for lives or years, wilfully holding over after expiration of leases, and after notice in writing, and demand of possession, shall pay double the rent, to be recovered by action of debt.

On half a year's rent being in arrear, the landlord may enter serving a declaration, and getting judgment in ejectment; but the lessee may avoid such judgment on paying the rent with costs, or filing a bill in equity within six months. And this is not to bar the right of any mortgagee out of possession, who shall within six months after judgment, pay all rent in arrear, with costs. *Ibid.*

Such lessees, or persons claiming under them, filing a bill in equity, shall not have or continue any injunction against the proceedings at law on such ejectment, unless within forty days after answer filed, they bring into court the arrears with costs; and the lessee or tenant may at any time before judgment, tender the same, and enjoy the premises without a new lease. *Ibid.*

Kent fees, chief rents and the like, may be distrained for, as rent reserved upon lease. *Ibid.*

Chief leases may be renewed without surrendering all the under-leases. *Ibid.*

By 11 Geo. 2. c. 19. tenants fraudulently removing goods to avoid distress, and persons aiding them shall forfeit to the landlord double value.

Where the goods fraudulently removed, exceed not the value of 50*l.* the landlord may sue for the double value before two justices of the peace, who may levy the same by distress and sale of the offender's goods, and in default thereof may imprison the offender six months. *Ibid.*

Landlords aided by a peace officer may break open houses to distrain goods fraudulently secured therein. *Ibid.*

Landlords may distrain cattle, upon any *common* belonging to the premises, and corn, hay and things growing on the same. *Ibid.*

Tenants shall have notice of the place where the distress is lodged, and distress of corn and the like, shall cease, if the rent is paid before it is cut. *Ibid.*

Distresses may be secured, and appraised and sold, on any convenient part of the premises. *Ibid.*

Where the agreement is not by deed, the lessor may recover rent arrear in an action for the use and occupation. *Ibid.*

Where any landlord having only an estate for life, dies before the day on which the rent was payable by his undertenant, his executors in an action on the case may recover a proportion of such rent according to the time. *Ibid.*



Tenants who are a year's rent in arrear deserting the premises, and not leaving a sufficient distress, two justices may view the same, affix a notice in writing that they will take a second view of the premises at the end of fourteen days; at which time they may put the landlord into possession if the rent is not paid. *Ibid.*

Tenants giving notice to quit the premises at a time therein-mentioned; shall pay double the rent during all the time they continue in possession after the time contained in such notice, to be recovered in the same manner as the single rent was before. *Ibid.*

Distresses for rent shall not be deemed unlawful for any irregularity therein, but the party may recover damages for the trespass, in case amends be not tendered before action brought. *Ibid.*

In actions against persons intitled to rents, the defendants may plead the general issue, and give the case in evidence. *Ibid.*

## Replevin.

By 13 *Ed. 1. stat. 1. c. 2.* lords attached in replevin by their tenants and not obtaining justice in inferior courts, a writ shall be granted to remove the plea before the justices; and the avowry shall be for services and customs due.

No replevin shall be, until the plaintiff has given pledges to the sheriff to prosecute his suit, and return the distress, if it be awarded; otherwise the sheriff or his bailiff shall be answerable. *Ibid.*

There shall be no writ of second deliverance, if he who replevied make default again, but the distress, twice replevied, shall remain irrepleviable. *Ibid.*

By 9 *Ed. 3. stat. 1. c. 2.* no man shall lose his land because of nonplevin.

By 11 *Geo. 2. c. 19.* sheriffs and other officers granting replevins, and taking bonds to prosecute the suit, and return the distress if awarded, in double the value, shall assign them to the avowant by indorsement, who may sue thereon in his own name; and the court by rule shall give relief to the parties.

## Returns.

By 28 *Ed. 1. c. 16.* the sheriff shall be punished by amerciamment for false return of writs.

By 12 *Ed. 2. c. 5.* an indenture shall be made of returns by bailiffs of liberties to the sheriffs; and they shall respectively set their names to their returns, and they are to render double damages for a false return.

By 1 *Ed. 3. stat. 1. c. 5.* averment may be made against false returns of bailiffs of franchises as against sheriffs, as well of too little issues returned as in other cases; the punishment to fall *only* upon the bailiffs, not to prejudice the franchise.

By 2 *Ed. 3. c. 5.* justices of assize, on complaint, may enquire and award damages, if sheriff or under-sheriff do not return writs.

By 22 *Geo. 2. c. 46.* writs of *capias* and other mesne process in the courts of session for *Chester*, and common pleas for *Lancaster*, bearing teste in the preceding sessions, may be made returnable the first *Wednesday* of any month, in the vacations.

## Riots.

By 17 *Ric. 2. c. 8.* the king's ministers generally have power to arrest rioters with force.

By 13 *Hen. 4. c. 7.* justices of peace and sheriffs, with the power of the county, may arrest rioters; within a month, may certify the matter to the king and council, which shall be of the same force as a presentment; may be traversed and sent into the king's bench; and default of appearance on proclamation shall be a conviction.

The justices and other officers shall execute this statute on pain of 100*l.* *Ibid.*

By 2 *Hen. 5. stat. 1. c. 8.* commissions shall be awarded to inquire of the riot, and of the default of justices and sheriffs; the coroners shall return the inquests; a riot shall be repressed and inquired of at the king's charges; heinous rioters shall have a year's imprisonment; each able person shall be assistant to repress riots; and this shall extend to boroughs, franchises, and the like.

Murderers, manslaughterers, robbers, batterers and rioters withdrawing themselves to avoid the law, not appearing, after proclamation returned, shall be adjudged convict. *Ibid. c. 9.*

By 19 *Hen. 7. c. 13.* if a riot is not found by the inquest, by reason of any maintenance, the justices and sheriff shall return a certificate of the same and the parties, which shall be of the same force as a verdict.

By 1 *Geo. 1. c. 5.* twelve persons or more, unlawfully assembled and not dispersing for one hour after commanded by one justice by proclamation, shall be adjudged felons without benefit of clergy.

Persons so assembled, and not dispersing within an hour may be seized, and if they make resistance, the persons killing them shall be indemnified. *Ibid.*

Such rioters pulling down any church or place of worship, or an house or out-house, shall be guilty of felony without benefit of clergy. *Ibid.*

Opposing the making such proclamation is felony without benefit of clergy, and persons so assembled, if the proclamation be hindered, shall nevertheless suffer as felons. *Ibid.*

The hundred shall make good the damages done by offenders pulling down any church, chapel, dwelling-house or out-house; and prosecutions on this act must be commenced within twelve months. *Ibid.*

By

By 9 *Geo. 3. c. 29.* the 1 *Geo. 1. c. 5.* is extended to mills, engines for draining collieries and mines, and waggon ways and fences erected by act of parliament.

## Robbery.

By 3 *Ed. 1. c. 9.* all persons shall be ready at the summons of the sheriff; and the cry of the county, to pursue and arrest felons, robbers, and the like.

By 13 *Ed. 1. stat. 2. c. 1 & 2.* fresh suit shall be made after robbers and felons, and if they be not apprehended, the county shall be answerable.

The night watch in boroughs and towns may levy hue and cry, upon such as will not obey the arrest. *Ibid. c. 4.*

By 28 *Ed. 1. c. 17.* and 7 *Ric. 2. c. 6.* the last statute shall be published four times a year in every county.

By 5 *Ed. 3. c. 14.* roberdesmen, waiters, and drawlatches shall be arrested.

By 27 *Eliz. c. 13.* the inhabitants of the hundred, where fresh suit shall not be made, shall answer half the damages for the felony or robbery, to be recovered in the name of the clerk of the peace.

Two justices may levy a rate on the inhabitants to satisfy the damages. *Ibid.*

No penalty shall be incurred by any hundred where any of the malefactors be apprehended. *Ibid.*

The action shall be commenced within one year after the robbery committed; and no hue and cry shall be deemed lawful, except it be made by horsemen and footmen. *Ibid.*

The party robbed shall not have the benefit of this act, unless he give notice thereof to the inhabitants of the next town, and be examined before a justice, whether he knew any of the offenders. *Ibid.*

By 4 & 5 *Will. & Mar. c. 8.* persons who apprehend and prosecute robbers, in any highway, passage, field, or lane, to conviction, on certificate thereof from the court shall have 40*l.* reward paid to them by the sheriff and also the horse, money and goods taken with the robber, unless the same belong to or were taken from some other person.

One robber discovering and convicting two accomplices shall be pardoned. *Ibid.*

By 8 *Geo. 2. c. 16.* no person shall sue the hundred in case of robbery, without first giving notice to a constable, describing the felon, and publishing the particulars in the *London* gazette within twenty days after the robbery, and giving security for costs.

The hundred shall not be chargeable if any of the felons be apprehended in forty days after notice in the gazette. *Ibid.*

In actions against any hundred, the process shall be served on the high constable only, who shall give notice, and enter an appearance, and on judgment and writ of execution delivered to the sheriff,



sheriff, two justices are to tax the inhabitants, and pay the money to the sheriff to satisfy the party; but no sheriff is compellable to return any writ of execution under 60 days, and if the plaintiff is nonsuit, and unable to pay the costs, the like tax may be raised to reimburse the high constable. *Ibid.*

Persons taking robbers upon the notice, so that the hundred be discharged, shall have a reward of 10*l.* *Ibid.*

Every constable, on notice of robbery, shall, with the utmost expedition, cause fresh suit and hue and cry, on pain of 5*l.* on refusal or neglect. *Ibid.*

The action must be brought within six months, and any of the inhabitants may be witnesses. *Ibid.*

By 22 *Geo. 2. c. 24.* no person shall recover in any action on statutes of hue and cry more than 200*l.* unless at the time of the robbery there be two present to attest the truth thereof.

On judgment against the hundred, no writ of execution shall be levied on any inhabitant; but the sheriff shall cause the same to be produced to two justices, who shall cause a taxation to be made. *Ibid. c. 46.*

## Rome.

By 25 *Ed. 3. stat. 6.* all persons having advowsons, shall have their presentments freely, and where the pope makes provision of the same, the king shall present.

They who disturb presentments, collations, or the like, by provisions from Rome shall be imprisoned, until fine and ransom, and not being found, the exigent shall issue. *Ibid.*

By 27 *Ed. 3. stat. 1. c. 1.* suing in a foreign realm any plea whereof the cognizance belongs to the king's court, or impeaching judgment given in the king's court; after *warning*, their lands, goods, and possessions, shall be seized into the king's hands.

By 38 *Ed. 3. stat. 1. c. 4.* penal bonds in the third person, in courts abroad, shall be void.

By 38 *Ed. 3. stat. 2. c. 1.* persons receiving citations from Rome in causes pertaining to the king, shall be put out of the king's protection, and suffer according to 27 *Ed. 3.*

Persons suspected of such impetrations, not appearing before the king's justices, after *warning*, their lands shall be seized without remission by the king, unless with consent of the party grieved. *Ibid. c. 2.*

The king, prelates, nobles, and commons, are bound to maintain each other, and punish offenders suing to Rome. *Ibid. c. 4.*

By 3 *Ric. 2. c. 3.* fermers of benefices for aliens shall incur the like punishments.

By 7 *Ric. 2. c. 12.* an alien purchasing benefice, without the king's license, shall be put out of the king's protection.

By 12 *Ric. 2. c. 15.* any subject going out of the realm to provide a benefice within the realm, shall be put out of the king's protection.

By

By 13 Ric. 2. stat. 2. c. 2. persons accepting benefices contrary to the statute of provisors, their procurators, notaries, executors, and summoners, shall forfeit their possessions, and be exiled and banished.

Bringing in any summons or sentence of excommunication against any person for executing the statute of provisors, shall forfeit lands, goods, and pain of life and member. *Ibid.* c. 3.

By 16 Ric. 2. c. 5. purchasing bulls, processses, or censures from Rome, which touch the king or his realm, receivers, notaries, and abettors, shall be put out of the king's protection, their lands and goods shall be forfeited to the king, their bodies be attached to answer, or process shall go against them of *præmunire facias*, as in other statutes of provisors.

By 2 Hen. 4. c. 3. any one accepting any provision from the pope, to be exempt of obedience, ordinary shall incur the pains in 13 Ric. 2.

Purchasing bulls to be exempt from tithe, incurs a *præmunire*. *Ibid.* c. 4.

By 7 Hen. 4. c. 8. and 3 Hen. 5. c. 4. no pardon of provision shall be granted of a benefice, then full of an incumbent, and the molester incurs a *præmunire* and treble damages.

By 24 Hen. 8. c. 12. the king's jurisdiction in all ecclesiastical matters was declared, and proceedings therein directed to be in the spiritual courts here; and it enacts, that whosoever procures from the see of Rome, or any foreign court, any appeals, processses, or sentences, or refuses to observe this act, shall incur the forfeitures of *præmunire*. *The same also by* 25 Hen. 8. c. 19.

By 25 Hen. 8. c. 21. the archbishop of Canterbury may grant dispensations to the king, and licenses to all others. Religious houses exempt from the visitation of the archbishop, are placed under the visitation of the king by commission. And suing to the see of Rome for any license or dispensation, or obeying any process from thence, incurs the penalties of the statute of provisors and *præmunire*.

By 28 Hen. 8. c. 16. all bulls, briefs, faculties, and dispensations from the see of Rome shall be void, and using any such, incurs a *præmunire*.

By 5 Eliz. c. 1. persons, by writing or teaching, maintaining the power of the pope within this realm, incur a *præmunire*; and for a second offence are guilty of treason, which punishments are likewise inflicted on all persons who refuse the oath of supremacy.

No one may wilfully slay any one attainted of a *præmunire*; but the law must take its course. *Ibid.*

By 13 Eliz. c. 2. obtaining any bull from Rome, or publishing the same, shall be *high treason*, the aiders incur a *præmunire*, and those who conceal are guilty of misprision.

Bringing into this realm any *agnus Dei*, popish tokens or reliëts, or offering the same to a subject, or receiving the same, incurs a *præmunire*; but the person receiving the same apprehending and convicting the offender, shall be discharged. *Ibid.*

Justice to whom such relicts are shewn not informing the privy council thereof, is likewise liable to a præmunire.

By 27 *Eliz. c. 2.* no jesuits or priests ordained at *Rome* shall come into, or remain in this realm, but where allowed, on pain of *high treason*, and persons receiving or relieving them, shall be guilty of *felony* without clergy.

They who be in seminaries shall, after proclamation, return and take the oath of supremacy, and returning otherwise is *high treason*. *Ibid.*

Sending relief to any jesuit or priest, or other person abiding in a seminary, incurs a præmunire. *Ibid.*

This is not to extend to a jesuit or priest submitting himself and taking the oaths, and obeying the laws; but if he comes within ten miles of the royal residence, within ten years after, he loses the benefit of his submission. *Ibid.*

One knowing of a jesuit or priest to remain in the realm, and not discovering it to a justice, shall be fined and imprisoned; and the justice forfeits 200 marks, if he do not disclose the same to the privy council within twenty-eight days after information thereof. *Ibid.*

## Russia Company.

By 14 *Geo. 2. c. 36.* the *Russia* company may import *Persian* commodities, purchased by barter of *British* manufactures, on oath to be exported again on security.

## Safe Conduct.

By 15 *Hen. 6. c. 3.* and 18 *Hen. 6. c. 8.* the clause of *vidimus* shall not be put in a safe conduct, unless on special cause, but it shall express the names of the persons, of the ships and the portage.

By 20 *Hen. 6. c. 1.* all letters of safe conduct granted to enemies, not enrolled in the chancery, shall be void.

By 31 *Hen. 6. c. 4.* process shall be made out of the chancery against robbers on the sea, of such as had safe conduct.

## Sail Cloth.

By 1 *Jac. 1. c. 24.* none shall make cloth for sails called *Milder-nix* and *Powledawies*, but such as have been brought up to the trade for seven years, on pain of 20 s. a month. And such sail cloth shall be made of good and sufficient hemp, not less than thirty-three yards long, and three quarters broad, on pain of 5 s. a piece.

By 7 & 8 *Will. 3. c. 10.* *English* sail cloth, fit for his majesty's navy, shall have the preference of all foreign made sail cloth, and the commissioners of the navy shall allow 2 d. a yard more.

And



And *English* made sail cloth may be exported custom free. *c.* 39.

By 12 *Ann. stat.* 1. *c.* 16. continued by 22 *Geo.* 3. *c.* 13. until 29 *Sept.* 1788, and by 4 *Geo.* 2. *c.* 27. out of the duties payable on foreign sail cloth imported, there shall be paid a reward of 2*d.* per ell for all *British* sail cloth exported.

Undressed flax may be imported without paying any duty, so as due entry be first made. 4 *Geo.* 2. *c.* 27.

No drawback shall be allowed on re-exportation of foreign sail cloth. *Ibid.*

By 9 *Geo.* 2. *c.* 37. continued by 26 *Geo.* 3. *c.* 53. until *Sept.* 29, 1792, all foreign made sail cloth, imported as merchandize, shall be stamped at the port of landing, and counterfeiting such stamps, or exposing the cloth without them, is a penalty of 50*l.*

Makers of *British* sail cloth shall stamp their names and places of abode on every piece, on pain of 10*l.* for each piece, and persons obliterating the same are to forfeit 5*l.* *Ibid.*

Every ship built in *Great Britain*, or in the *British* plantations in *America*, shall, upon first setting out at sea, have a compleat set of sails of *British* sail cloth; and the master, on default therein, shall forfeit 50*l.* *Ibid.*

Any sail maker working up any foreign made sail cloth, not stamped, shall forfeit 20*l.* *Ibid.*

Every piece of *British* sail cloth shall be of proportional weight and measure, viz.

Number I.	-	44	} pounds each bolt,
II.	-	41	
III.	-	38	
IV.	-	35	
V.	-	32	
VI.	-	29	
VII.	-	24	
VIII.	-	21	
IX.	-	18	
X.	-	15	

and so in proportion; it shall be manufactured properly; no flax yarn shall be whitened with lime, on pain of 6*d.* a yard; and manufacturers shall cause an abstract of this act to be set up in their workhouses, on pain of 40*s.*

By 19 *Geo.* 2. *c.* 27. continued by 23 *Geo.* 3. *c.* 13. till *June* 24, 1788, masters of ships shall make entry upon oath, of all foreign sails on board, and pay the duties before clearing; sails to be stamped at the place of entry, and on non-entry the sails to be forfeited.

Masters bringing sails from the *East Indies*, of foreign make, *bona fide*, not liable to duties or forfeitures. *Ibid.*

By 26 *Geo.* 2. *c.* 20. no part of the sum granted for encouraging the manufactures of linens in the Highlands, shall be applied to encourage the manufacture of sail cloth.

The bounties upon exportation of *British* sail cloth. to be paid out of the incidents. 23 Geo. 2. c. 21. 26 Geo. 2. c. 32. and 27 Geo. 2. c. 18.

## Salt.

By 5 Will. 3. c. 7. the duties upon salt shall be under the excise, or particular commissioners may be appointed with excise powers, by 1 Ann. stat. 1. c. 21.

## Duties.

*Home made salt* pays, by 5 Will. 3. c. 7.  $1\frac{1}{2}d.$  a gallon, by 9 & 10 Will. 3. c. 44.  $3\frac{1}{2}d.$  more, in the whole, 3 s. 4 d. a bushel. *These duties were made perpetual* by 26 Geo. 2. c. 3. and the 20 Geo. 3. c. 34. and 22 Geo. 3. c. 39. have further increased these duties, as will be shewn hereafter.

Eight gallons shall be a bushel. 5 Will. 3. c. 7. and 84 lb. a bushel. 1 Ann. stat. 1. c. 21.

Rock salt exported to *Ireland*, pays an additional 9 s. per ton, by 9 Ann. c. 23.

For the duties on importation, see page 318.

## Acts regulating and enforcing payment of the duties.

By 7 & 8 Will. 3. c. 31. all salt, except rock salt, shall be charged at the rate of 56 lb. weight to the bushel.

No retailer shall sell salt otherwise than by weight, after the rate of 56 lb. weight to the bushel, on pain of 5 l. 9 & 10 Will. 3. c. 6.

Sixty-five lb. of rock salt shall be deemed a *Winchester* bushel, and rated accordingly. 1 Ann. stat. 1. c. 21.

Makers of salt shall enter their pits and warehouses at the next salt office, on penalty of 40 l. and officers may enter, and, if refused, the penalty is 40 l. *Ibid.*

Persons in whose custody salt removed from the works shall be found, are liable to the penalties inflicted on landing, or removing the same, without payment of the duties. *Ibid.*

*British* salt imported shall be forfeited, with the ship; and persons assisting therein, forfeit 20 l. 2 & 3 Ann. c. 14. This is extended by 5 Geo. 1. c. 18. to salt shipped for exportation, and put on shore again.

The salt officers may, within two months, seize, and within twenty-one days after, sell; but this does not extend to salt carried coast ways by certificate, ships forced into port by necessity, or such as have only salt on board for ship provision. *Ibid.*

Giving security, the importer shall have six months to pay the duties, or 10 l. per cent. for prompt payment. 9 & 10 Will. 3. c. 44.

And by 5 *Ann. c. 29.* if the salt imported is more than forty bushels, further time shall be allowed, and the same shall be warehoused, and delivered out as wanted, in not less than forty bushels at a time.

Foreign salt imported, not secured on landing, shall be liable to the duties and penalties; and after warehoused, removing without a permit is a forfeiture thereof, and 10 *s.* a bushel, and 20 *l.* on the importer, with like penalties on the carrier. *Ibid.*

Foreign salt shall not be imported in vessels under forty tons, on forfeiture thereof, and double value. 3 *Geo. 2. c. 20.*

Landing salt before payment of the duty, is a forfeiture thereof, and of 10 *s.* per bushel. 9 & 10 *Will. 3. c. 44.* and persons assisting therein, forfeit 100 *l.* 5 *Geo. 1. c. 18.*

Officers of customs or salt, may search on shipboard, and if obstructed, 40 *l.* penalty. 5 *Geo. 1. c. 18.*

Ships hovering near the coast with salt, may be compelled to come into port, and not entering, or landing the salt within twenty days after, is a forfeiture thereof, and double the value. 1 *Ann. stat. 1. c. 21.*

There shall be a drawback on rock salt refined, 10 & 11 *Will. 3. c. 22.* and it shall not be refined, but within ten miles of the pit, on pain of 40 *s.* a bushel. *Ibid.*

Obstructing the officers, is a penalty of 20 *l.* or one month's imprisonment. *Ibid.*

Removing salt without notice and entry, is a forfeiture thereof, and of 20 *l.* 5 *Will. 3. c. 7.* and 10 *s.* per bushel, 9 & 10 *Will. 3. c. 44.*

And by 5 *Geo. 3. c. 43.* officers guilty of frauds, shall not only forfeit the penalty of their bonds, but also double the value, and 10 *s.* per bushel.

Collectors shall provide scales and weights, fix them in the pits, and appoint persons to weigh the salt. 7 & 8 *Will. 3. c. 31.*

It shall be weighed in the presence of an officer, and removing before, 20 *l.* penalty, and double value. 10 & 11 *Will. 3. c. 22.*

Salt made or imported shall be entered, and security given to pay the duties in nine months; but on prompt payment, an allowance of 10 *l.* per cent. is made. 5 *Will. 3. c. 7.*

The duties on rock salt shall be paid within two days after charged, or security given to pay within twelve months. 10 & 11 *Will. 3. c. 22.*

Persons, after giving security, may, within twenty-eight days, pay and have the discount. 1 *Ann. stat. 1. c. 21.*

Rock salt may be removed from the pits to the store-houses, on entry and warrant, with the duty unpaid. 5 *Will. 3. c. 7.*

Salt carried before entry, and without a permit, may be seized, is a forfeiture of double value. *Ibid.* and also 10 *s.* a bushel, 9 & 10 *Will. 3. c. 44.* and the carrier forfeits 20 *l.* 2 & 3 *Ann. c. 14.*

Persons in whose possession salt unentered is found, shall be liable to the penalties. 2 *Ann. stat. 1. c. 21.*



Several permits are to be delivered with several parcels. 7 & 8 Will. 3. c. 21.

Officer may demand sight of the permit, and if the salt does not correspond therewith, the party is liable to the penalties. 5 Geo. 3. c. 43.

The prices of salt shall be set by the lord mayor and aldermen in London, and by the sessions elsewhere; and selling at other prices, 5 l. penalty. 7 & 8 Will. 3. c. 31.

Persons buying salt otherwise than by weight, forfeit 10 s. per bushel. 1 Ann. stat. 1. c. 21.

Salt is not to be carried coast ways, till the duty is paid or secured, 5 Will. 3. c. 7. nor before weighed, or without a permit, on pain of forfeiture, and 10 s. a bushel. 10 & 11 Will. 3. c. 22.

Officers may go on shipboard, and demand sight of the cocquet, and if it does not correspond with the salt on board, the salt is forfeited. 1 Ann. stat. 1. c. 21.

Masters of vessels shall deliver at the port of landing a true account of the salt put on board at the port of lading, and make oath that no salt was put on board afterwards; and the officers are to certify the landing; delivering salt otherwise, is a forfeiture of double the value. 5 Will. 3. c. 7. and 10 s. per bushel, 9 & 10 Will. 3. c. 44.

Unlading more salt than in the permit, which the officer may demand sight of, is a forfeiture thereof. 10 & 11 Will. 3. c. 22.

On reshipping of salt, masters shall be sworn, that the whole is reshipped on board, and that none has been added, on pain of double value, and 10 s. a bushel. 5 Geo. 1. c. 18.

Certificate shall be granted for salt lost, which shall vacate the security given for payment of the duties. 26 Geo. 2. c. 32.

The officers shall, on notice, attend the weighing of salt for exportation, on pain of 40 s. 9 & 10 Will. 3. c. 6.

And the salt officers may go on board, and take an account, and if obstructed, 20 l. penalty. 1 Ann. stat. 1. c. 21.

A drawback of the duties is allowed on exportation; but relanding is a forfeiture of double value, and 10 s. a bushel, besides the penalties for landing foreign salt unentered. 9 & 10 Will. 3. c. 44.

On a ship being drove into port, the salt officer may go on board, and remain till she proceeds; if refused, 20 l. penalty, and landing the salt is a forfeiture thereof, and of the whole cargo. 1 Ann. stat. 1. c. 21.

Salt shipped for exportation, perishing in port by the sinking of the ship, on certificate thereof from sessions, the proprietor may buy the like quantity duty free. 2 & 3 Ann. c. 14.

The curers of fish for exportation may import salt, or take it from the pits duty free, the same being weighed in the presence of an officer, and warehoused, to remain there during intervals of fishing. 5 Geo. 1. c. 18.

Persons who embezzle salt before cellared, forfeit, if foreign, 20 s. a bushel, if British 10 s. Ibid.

The proprietor shall enter at the salt office the quantity lodged, and make oath, that it is to be used for curing fish for exportation only. 5 Geo. 1. c. 18.

And foreign salt shall not be delivered for curing fish for exportation, without security. 8 Geo. 2. c. 12.

For every bushel of salt lodged which shall be carried away, or found wanting at the re-delivery, 20 s. penalty. 5 Geo. 1. c. 18.

At the end of the fishing season, the officer shall take an account of the quantity remaining, which shall be locked up. *Ibid.*

Proprietors delivering over any salt received from the officer, to make it appear that it was used in curing fish, on forfeiture of 50 l. 11 Geo. 1. c. 30.

Every bushel of salt taken out of the cellars, and not accounted for, forfeits 20 s. Such salt sold, given away, used, or bought, otherwise than for curing fish, forfeits 20 s. the bushel. 5 Geo. 1. c. 18.

*Allowances on fish exported.* Pilchards or scads, 50 gallons, 7 s. cod fish, ling or hake, 14 inches long, the 100, 5 s. ditto wet, the 32 gallons, 2 s. haberdines, the cwt. 3 s. salmon, 42 gallons, 4 s. 6 d. white herrings, 32 gallons, 2 s. 8 d. ditto red, 1 s. 9 d. ditto clean shotten herrings, 1 s. and dried sprats, the last, 1 s. *Ibid.*

*But the bounty on the exportation of pilchards is increased by 25 Geo. 3. c. 58. (see p. 22.) to 9 s. and 26 Geo. 3. c. 45. gives an additional 2 s.*

Officers are to cut off the tail of cod fish, ling, and hake, and to mark the barrels of other fish. Such fish relanded, forfeited. No allowance for unfaleable fish. *Ibid.*

The curer of red herrings before removal, except for exportation, shall enter them at the salt office, and pay 1 s. 8 d. per thousand, to be packed and marked, and removed by permit only, on forfeiture thereof, and 40 s. a thousand, 8 Geo. 1. c. 4. the 1 s. 8 d. to be paid in proportion as the salt duties rise or fall.

And the curer of white herrings shall in like manner enter them, and pay 3 s. 4 d. a barrel, to be marked and removed by permit only, on pain of 40 s. a cask. 8 Geo. 1. c. 16.

By 19 Geo. 3. c. 52. the duties on salt used in curing pilchards for home consumption, shall cease, and instead thereof they are to pay at the salt office 5 s. 2½ d. per cask of 50 gallons, and the curer not to sell less than 25 gallons at a time, on forfeiture thereof, with the cask, and 40 s. for every 25 gallons; and retailers are not to buy less than 25 gallons at a time; and refusing to discover the curer, penalty of forfeiture, and 40 s.

Proprietors of salt delivered duty free, for curing pilchards for exportation, to take an oath not to use it for other purposes, and at the end of the season to account for the salt used, and express the quantity of fish entered for home consumption. *Ibid.*

If the duty on salt is lessened, the rate on pilchards to be abated in proportion. *Ibid.*

Officers may at all times enter the places for curing of fish, gauge, mark, and see the exportation; obstructed, 20 l. penalty. 5 Geo. 1. c. 18.

No salt or fish, after being put on board, to be taken out or put on shore, but in the presence of a salt officer, on forfeiture thereof and of the vessel; and assisting therein 20*l.* penalty, or six months imprisonment. *Ibid.*

If not exported while good, they are to be destroyed. 8 *Geo.* 1. c. 4.

For every barrel of beef exported for sale, and not for the ship's use, to be verified on oath, there shall be allowed 5*s.* out of the salt duties; but relanded, is a forfeiture thereof, and of 40*s.* per barrel. 5 *Ann.* c. 29.

Using brine, or rock salt, for curing of flesh or fish, before it is boiled, is a penalty of 40*s.* per gallon for brine, and the same for every pound of salt. 1 *Ann. stat.* 1. c. 21.

Any person carrying brine from the pits for curing flesh or fish, to forfeit 40*s.* per gallon. 5 *Geo.* 1. c. 18.

By 5 *Geo.* 3. c. 43. salt shipped for the fisheries, not to be landed, but in the presence of an officer, on forfeiture thereof, and also 10*s.* per bushel, and 20*l.* by every person concerned therein, and the like for obstructing officers on duty.

Salt or fish seized for non-payment of duties, proof shall lie on the owner. *Ibid.*

If salt or fish be liable to forfeiture, the package, carriages, and cattle, are also forfeited. *Ibid.*

Dealers in salt are not to act as justices under the acts. 1 *Ann. stat.* 1. c. 21.

The distance of refiners of rock salt, required to be within ten miles of the pit, the same shall be according to common estimation, and not by measure. 8 *Geo.* 2. c. 12.

No servants employed in the salt works in Scotland, shall be paid their wages in salt, on penalty of 20*l.* *Ibid.*

Rock salt may be used in making salt from sea water, at the salt works at Neath in Glamorganshire. 14 *Geo.* 2. c. 22.

Salt may be imported from any port of Europe into Nova Scotia in America, in British vessels, navigated according to law, 2 *Geo.* 3. c. 24. and so it may into Quebec, 4 *Geo.* 3. c. 19. in force till June 24, 1790, by 26 *Geo.* 3. c. 53.

The 20 *Geo.* 3. c. 34. imposed the following additional duties on salt, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Rock or other salt made in England or Wales per gallon	0	0	0 $\frac{1}{4}$
In Scotland per bushel	—	—	0 0 3
Brought from Scotland to England or Wales per bushel	0	0	7

No drawback on exportation to the Isle of Man till landed there; and the debentures for no more than is shipped, though the certificate and allowance for waste amount to more. *Ibid.*

On proof of salt being sunk or taken by the enemy, the duty to be returned; but no drawback without entry in some port of the island. *Ibid.*

By 22 *Geo.* 3. c. 39. the following additional and other duties on salt shall be paid to his majesty, viz.

For



For every gallon of salt and rock salt, made in *England* or *Wales*,  
<sup>1</sup>/<sub>2</sub> *d.*

For every bushel of salt made in *Scotland*, 3 *d.* and imported from thence into *England*, 7 *d.*

For every cwt. of glauber salts made in *Great Britain*, 20 *s.*

For every ton of mineral alkali, or flux for glass, made of rock salt, or brine, or sea water, in *Great Britain*, 20 *s.*

The new duties shall be levied and recovered in such manner as the old duties. *Ibid.*

No person shall take rock salt, or brine, for making a mineral alkali, or flux for glass, without a license. 5 *l.* shall be paid for the license, and an entry shall be made of the place where the mineral alkali is to be manufactured, and the rock salt deposited; and manufacturing mineral alkali, without taking out a license, and annually renewing the same, is a penalty of 500 *l.* *Ibid.*

Salt rock shall not be delivered for making mineral alkali, except in the presence of a proper officer, who shall make an entry thereof; and the person, for whose use salt shall be brought to alkali works, shall be answerable for any deficiency in the quantity entered. *Ibid.*

Persons who shall make use of such salt for any other purpose, after making mineral alkali, or flux for glass, shall forfeit double the duties; and if they procure such salt to be delivered to them for any other purpose than making the said mineral alkali, they forfeit 40 *s.* per bushel. *Ibid.*

Officers may enter into the warehouses of the manufacturers of such mineral alkali; and, if refused, the penalty is 40 *l.* *Ibid.*

But this act is not to charge with duty glauber salts made from mineral alkali, or used in making the same, nor the manufacture of kelp, barilla, or flux, made in *Great Britain* by the incineration of plants. *Ibid.*

By 25 *Geo.* 3. c. 63. the following allowances shall be made for waste on salt, viz. on white salt and rock salt, carried coastwise, one bushel in forty of white salt, and half a bushel in forty of rock salt; and if exported to *Ireland*, or the *Isle of Man*, two bushels for every forty of white salt, and one bushel for every forty of rock salt.

The 20 *Geo.* 3. c. 34. relative to exporting salt to the *Isle of Man*, is extended to *Jersey*, *Guernsey*, *Alderney*, and *Sark*; and the same allowance shall be made for waste, as on carrying coastways. *Ibid.*

Persons in whose possession salt brought from *Scotland* by land shall be found, shall be subject to the same penalties as the carrier or owner. *Ibid.*

No fish curer shall sell salt, except to other curers, on penalty of 20 *s.* a bushel. *Ibid.*

No herrings caught on the coasts of the *Isle of Man*, shall be exported from thence, till a proper certificate is obtained. *Ibid.*

On delivery of salt duty free to curers for foreign markets, security shall be given to the satisfaction of the officer, to account for

the same, and such salt shall be weighed in the presence of the officer, and shall not be removed without his warrant. *Ibid.*

Indictments for assaults on officers may be tried in any county; and when writs of *capias* are issued against offenders relative to the salt duties, a special warrant shall be granted for apprehending them. *Ibid.*

Summonses for the appearance of offenders, or relative to those duties, left at their place of abode, or at the house or shop, shall be deemed legal notice, and as effectual as if delivered to the party. *Ibid.*

If there was probable cause to seize goods, by virtue of any act relating to the salt duties, the plaintiff, on the judge's certificate thereof, shall have only nominal damages. *Ibid.*

No writ shall be sued out against any officer for the salt duties for executing his office, until after a month's notice, within which time he may tender amends; but no evidence of the cause of action shall be produced, except that contained in such notice; and the defendant may pay money into court. *Ibid.*

Claimant must prove payment of the duties, and enter into bond, to pay costs if condemned; and obstructing officers is a penalty of 100*l.* *Ibid.*

By 26 *Geo.* 3. c. 36. allowance for waste on salt exported to the *Isle of Man*, is reduced to two bushels in forty of white salt, and one bushel in forty of rock salt.

By 26 *Geo.* 3. c. 90. so much of 22 *Geo.* 3. c. 39. as relates to obtaining, duty free, rock salt for making a flux for glass is repealed, except as after mentioned. Glass makers may take rock salt, salt rock, or brine, or sea water, for making a flux for glass, at their own glass works, upon the terms of the said act.

## Scotland.

By 5 *Ann.* c. 8. the union between *England* and *Scotland* was effected. The kingdoms united shall be called *Great Britain*; the cross of *St. George* and *St. Andrew* shall be conjoined. The united kingdoms shall be represented by one parliament: the subjects of either kingdom shall have freedom of trade, liable to the same customs and like laws.

When 1,197,763*l.* 8*s.* 4*d.* is raised in *England* on a land tax, *Scotland* shall be charged with 48,000*l.* *Scotland* shall have an equivalent for being charged towards payment of the debts of *England*, and shall not be subject to duties before the union. *Ibid.*

Sixteen peers of *Scot* and and forty-five commoners shall represent *Scotland* in parliament; the sixteen peers to be named and elected by the peers of *Scotland*, and have all privileges of parliament as peers of *England*. *Ibid.*

One great seal shall be for the united kingdoms, different from the great seal of either kingdom. Kirk government of the church

confirmed; and the courts of justice shall remain the same as before the union, but subject to regulations. *Ibid.*

By 6 *Ann. c. 6.* there shall be only one privy council in Great Britain.

**Alc.**—By 29 *Geo. 2. c. 12.* persons keeping alehouses in Scotland shall be licensed as in England, and the justices there shall meet annually to license alehouses, on each of which licenses a fee of 1 s. is payable to the clerk of the peace.

Magistrates of royal boroughs shall meet yearly for the like purpose; but where there shall not be a sufficient number of magistrates to act in any royal borough, justices may grant licenses, to be in force for one year only. *Ibid.*

Persons in Scotland convicted of keeping unlicensed alehouses shall forfeit for the first offence 5 s. for the second 10 s. for the third 20 s. and to be disqualified; and for every subsequent offence 40 s. to be levied by distress and sale, one moiety to the informer, the other to the poor of the parish. Conviction to be intimated to the offender, and certified to the clerk of the peace, and recorded: but persons aggrieved may appeal to the quarter sessions. *Ibid.*

Brewers, maltsters, and distillers in Scotland are inhibited to grant licenses, or act in execution of this act, on pain of 50 l. half to the prosecutor, and half to repair the roads. *Ibid.*

Licenses for houses on the military roads in Scotland shall be issued on payment of 1 s. only to the clerk of the peace: making out licenses before the same be stamped, is a penalty of 10 l. and making them contrary to the intention of this act, 5 l. and the same shall be vacated, unless the duty and fine be paid, and the receipt produced, and license stamped. *Ibid.*

By 5 *Geo. 3. c. 43.* the 7 & 8 *Will. 3. c. 30.* is extended to brewers, innkeepers, and victuallers, in Scotland, and 8 & 9 *Will. 3. c. 19.* to common brewers in Scotland. (*See these acts in page 166.*)

**Arms.**—By 1 *Geo. 1. c. 20.* warrants may be issued to search for and seize the arms of dangerous persons, so as the same be not executed at night.

By 1 *Geo. 1. c. 54.* enforced by 11 *Geo. 1. c. 26.* persons within the Highlands shall not keep or wear any arms, or come into the low lands armed, on pain of forfeiting not more than 40 l. nor less than 5 l. for the first offence; nor more than 80 l. nor less than 10 l. for the second, and double every subsequent offence, with transportation for seven years, if the third fine is not paid.

This act shall not extend to peers or their sons, or the officers of justice. Commoners having 400 l. Scots per ann. may keep two firelocks. Magistrates of boroughs royal may keep arms in magazines and lieutenants of counties may receive arms out of the king's magazines, but shall return them. *Ibid.* A like clause is in 19 *Geo. 2. c. 39.*



Search may be made for arms and ammunition in the night, and persons resisting the same are to forfeit not more than 15 *l.* nor under 5 *l.* *Ibid.*

By 19 *Geo.* 2. c. 39. lord lieutenants shall issue summons for delivering up of arms, and persons refusing are to forfeit 15 *l.* which if not paid in one month, the offender is, if fit, to be sent as a soldier to *America*; and if unfit, shall be imprisoned six months, and afterwards give bail. Concealing of arms is a penalty of 100 *l.* and the like punishment for non-payment; but women are to suffer six months imprisonment, besides the penalties.

The tenant of any house where arms are hidden shall be deemed a concealer; and any person guilty of the above offences a second time, shall be transported for seven years. *Ibid.*

The lord lieutenant shall appoint persons to summon, and apprehend such as shall be found with arms, and search may be made for the same by day or by night, in presence of a constable, and in case of resistance, the king's forces may be called in. *Ibid.*

*The clauses in this and other acts restraining the use of the Highland dresses are repealed by 22 Geo. 3. c. 63.*

**Bail.**—By 11 *Geo.* 1. c. 26. magistrates may extend the bail in criminal information to double the sums in the act made in 1701.

**Bank.**—By 14 *Geo.* 3. c. 21. the dukes of *Buccleugh* and *Queensberry*, earl of *Dumfries*, and others, directors of the bank of *Ayr*, shall give bonds of 50 *l.* each, for the amount of the annuities granted by them, and a premium of 480,000 *l.* with interest at 5 *l.* per cent. being 24,000 *l.* per ann. and shall settle unentailed estates of 32,000 *l.* per ann. for securing the payment thereof, as in the act mentioned.

The bank of *Scotland* may increase their capital stock to 100,000 *l.* sterling, or 1,200,000 *l.* Scots.

The 24 *Geo.* 3. c. 12. enabled the governor and company of the bank of *Scotland* further to increase the capital stock of the said company 100,000 *l.*

**Bent.**—By 15 *Geo.* 2. c. 33. persons cutting starr or bent in *Scotland*, or having the same in their custody, for the first offence are to forfeit 20 *s.* and for a second offence are to be kept to hard labour one year.

**Brandy.**—By 9 *Geo.* 2. c. 23. and 24 *Geo.* 2. c. 40. the duties laid on spirituous liquors shall not extend to aqua vitæ consumed in *Scotland*.

By 19 *Geo.* 2. c. 12. duties laid on spirituous liquors made in *Scotland* shall be under the management of the commissioners of excise there.

**Bread.**—By 31 *Geo.* 2. c. 29. magistrates in *Scotland* shall regulate the assize of bread. *The same also by 3 Geo. 3. c. 6.*

Calendar.

**Calendar.**—By 24 *Geo. 2. c. 23.* courts, fairs, and marts in *Scotland* shall be held upon the same natural days as if the act had not been made for correcting the calendar.

**Coals.**—By 8 *Ann. c. 4.* and 9 *Ann. c. 6.* coals and culm carried from *Sterling* to *Dunbar* are not liable to the duties.

By 9 *Ann. c. 23.* coals carried from the West of *Scotland* to *Ireland*, shall pay the same duty as coals exported from the West of *England* to *Ireland*.

By 27 *Geo. 3. c. 21.* the treasury may treat for the purchase of the right of exemption from duty on coals exported from the mines of *Pitferran*. On payment of such purchase money, the said right shall cease; and the regulations touching the levying the duties on coals exported, shall extend to those exported from *Pitferran*.

**Conjuratton.**—By 9 *Geo. 2. c. 5.* the act intituled, *anentis witchcrafts* is repealed.

**Corn.**—By 14 *Geo. 2. c. 7.* power of suspending prohibitory laws, and licensing importation of victual, was vested in the judges of the several courts in *Scotland*.

By 26 *Geo. 2. c. 15.* where there is not money in hand to pay the bounty on corn exported from *Scotland*, a certificate shall be granted, and the debenture shall be paid in three months after.

By 11 *Geo. 3. c. 51.* 5000 quarters of bigg may be exported annually from the *Isle of Orkney* to *Portugal* without bounty.

By 13 *Geo. 3. c. 43.* the mode of ascertaining the price of victual in *Scotland* by 14 *Geo. 2. c. 7.* shall cease, and the sheriff four times a year shall examine and fix the prices of corn, and transmit the same to the collectors of the customs; and when oatmeal is under 16 s. *per* boll, at eight stone troy, it shall not be imported on forfeiture, with the ship; but if at or above may be imported.

**Courts.**—By 6 *Ann. c. 6.* circuit courts shall be kept twice a year.

By 8 *Ann. c. 16.* none shall be obliged to attend the lords of judiciary in their circuit, except the sheriff and like officers.

Informations and like proceedings shall be by presentments by the justices in their quarter sessions.

By 10 *Ann. c. 26.* and 5 *Geo. 1. c. 20.* fees and salaries for keeping up the court of session, &c. in *Scotland*, shall be charged on the customs and excise.

By 10 *Ann. c. 33.* the circuit courts in *Scotland* shall be kept but once a year, and the circuit court in *Osber* shall cease, except when the crown by proclamation shall order it to be kept.

By 10 *Geo. 1. c. 19.* when the place of any of the ordinary lords of session becomes vacant, the king shall nominate a person qualified. The lords may object to the qualifications, and the king may either require the person to be received, or nominate another.

By

By 3 *Geo. 2. c. 32.* and 2. *Geo. 3. c. 27.* the judges of the court of session may make an adjournment between *December 15* and *January 15*, not exceeding ten days.

By 20 *Geo. 2. c. 43.* high sheriffs shall not sit as judges; and the circuit courts shall be held twice a year. Judges shall sit six days at each place, and one judge may sit in the absence of his colleague.

The act for discharging advocations for sums within 200 marks, extended to causes not exceeding 12*l.* sterling. *Ibid.*

The 23 *Geo. 3. c. 45.* regulates the proceedings of the court of judicatory, and circuit courts in *Scotland*.

**Criminals.**—By 7 *Ann. c. 21.* wilful fire raising in *Scotland* shall not be deemed treason, but shall be a capital offence.

By 1 *Geo. 1. c. 48.* setting on fire any wood, or the like, shall be punished as wilful fire raisers.

By 11 *Geo. 1. c. 26.* sentences importing capital punishment shall not be put in execution in less than thirty days, if pronounced South of the *Forth*.

The freeholders of every shire may make assessments for defraying the charges of apprehending criminals.

By 3 *Geo. 2. c. 32.* judgment for corporal punishment less than death, may be executed after eight days.

By 13 *Geo. 3. c. 34.* criminals escaping from *England* to *Scotland*, or the contrary, may be apprehended and returned at the expence of the place where committed, and felons and receivers of stolen goods in either part of the united kingdoms may be punished in the other.

**Customs.**—By 12 *Car. 2. c. 18.* corn, fish, &c. of *Scotland* are exempted from the aliens duties.

By 6 *Ann. c. 26.* acts of parliament made in *England* concerning customs, subsidies, and excise, not contrary to the articles of union, shall extend to *Scotland*, and be cognizable in the court of exchequer there.

The crown shall appoint what further places and ports in *Scotland* shall be lawful for landing or shipping goods at; and officers of customs shall reside there. *Ibid.*

By 1 *Geo. 1. stat. 2. c. 19.* the treasury were enabled to treat for the purchase of the right of exemption from duties claimed by proprietors of the sugar houses in *Scotland*.

By 8 *Geo. 1. c. 4.* proprietors of sugar houses in *Scotland* shall pay the like duties as other subjects.

**Distilleries.**—By 25 *Geo. 3. c. 22.* licenses may be granted annually, by the commissioners of excise in *Scotland*, within the counties in the *Highlands*, for distilling corn spirits in stills, not less than thirty, nor more than forty gallons, at 20*s.* each gallon.

The 26 *Geo. 3. c. 61.* discontinues for two years, from *July 5, 1786*, the duties payable in *Scotland* upon low wines and spirits, and upon worts, wash and other liquors, there used in the distillation



tion of spirits ; and in lieu thereof directs the following duties to be paid, *viz.*

For every still, 1*l.* 10*s.* annually, for each *English* gallon of its contents, where *British* materials are used.

For each gallon of its contents, 2*l.* 10*s.* where melasses or sugar are used ; and 3*l.* for every gallon where other foreign materials are used.

By 27 *Geo.* 3. c. 31. with every wash still there must be licensed a low wine or spirit still, of not less than one fourth of it's contents.

**Equivalent.**—By 3 *Geo.* 1. c. 14. for the debts due to *Scotland* by way of equivalent, debentures for the same, shall not be stopped.

**Evidence.**—By 21 *Geo.* 2. c. 19. the taking down the evidence in writing, in prosecutions not inferring death or demembration, shall be abolished.

The evidence of the party concerned shall be admitted in trials for theft of cattle. *Ibid.* c. 34.

The evidence of the party resorting to unlicensed episcopal meeting houses shall be admitted on trials for that offence. *Ibid.*

**Exchequer.**—By 6 *Ann.* c. 26. the court of exchequer for *Scotland* was established.

By 7 *Ann.* c. 15. *Whitsuntide* term for the court of exchequer in *Scotland* shall begin *June* 1, and end *June* 22. *Lammas* term shall begin *July* 7, and end *July* 26.

**Excommunication.**—By 10 *Ann.* c. 7. no forfeiture shall be incurred by reason of any excommunication by the church judicatories.

**Fishery.**—By 12 *Car.* 2. c. 18. fish of *Scotland* shall not be subject to alien's duties.

By 13 *Geo.* 1. c. 30. the crown by letters patents may establish rules for the funds provided for improving the fisheries in *Scotland*.

By 9 *Geo.* 2. c. 33. taking or killing lobsters on the coast of *Scotland* between *June* 1 and *September* 1, is a penalty of 5*l.*

By 29 *Geo.* 2. c. 23. all inhabitants may freely take, buy or cure white fish in any of the seas or rivers in *Scotland*.

**Forfeited Estates.**—By 1 *Geo.* 1. stat. 2. c. 50. heritable jurisdictions of traitors forfeited to the crown shall be extinguished.

By 20 *Geo.* 2. c. 41. the real and personal estates of persons attainted of high treason were vested in the king.

By 25 *Geo.* 2. c. 41. the forfeited estates in *Scotland* were annexed to the crown unalienably ; and power was given to purchase the superiority of other estates held of subject superiors.

The rents of the forfeited estates shall be applied, as his majesty shall direct, for civilizing the *Highlands* ; and the crown may divide the forfeited estates into parishes, with a stipend to the minister. *Ibid.*

By 31 *Geo. 2. c. 16.* the court of session may proceed and determine all claims entered by creditors on the forfeited estates.

By 2 *Geo. 3. c. 17.* trustees of forfeited estates may receive resignations of vassals, and grant new charters for compleating their titles.

The 14 *Geo. 3. c. 65.* altered the 25 *Geo. 2. c. 41.* as to granting leases of the forfeited estates above 20 *l. per ann.* value.

The 24 *Geo. 3. c. 57.* enables his majesty to grant to the heirs of the former proprietors, upon certain terms and conditions, the forfeited estates in *Scotland*, which were put under the management of a board of trustees by an act in 25 *Geo. 2.* which is thereby repealed.

The 26 *Geo. 3. c. 27.* authorises the lord chief baron, and remanent barons of the court of exchequer in *Scotland*, out of the unappropriated money arising from the forfeited, and lately annexed states in *Scotland*, to pay a certain sum to the society in *Scotland* for propagating christian knowledge, for the purposes, and in manner therein mentioned.

**Game.**—The 13 *Geo. 3. c. 54.* repeals 24 *Geo. 2. c. 34.* 1 *Geo. 3. c. 21.* and 6 *Geo. 3. c. 32.* and persons taking, killing, selling, or buying muirfowl or tarmagon, between *December 10* and *August 12.* Heath fowl between *December 10* and *August 20.* Partridge between *February 1* and *September 1*; or pheasant between *February 1* and *October 1*, shall forfeit for every bird 5 *l.* Pheasants kept in breeding places excepted.

Unqualified persons having game, forfeit 20 *s.* for the first, and for every other offence. 40 *s.* *Ibid.*

Making muirburn from *April 11* to *November 1*, is for the first offence a penalty of 40 *s.* for the second 5 *l.* and for every other 10 *l.* *Ibid.*

If any muirburn be discovered within the time prohibited, occupiers shall be liable, unless they shall prove the contrary. *Ibid.*

Proprietors of wet lands, or their tenants authorised by them, and recorded in the sheriff's books, may burn heath between 11 and 25 *April.* *Ibid.*

**Habeas Corpus.**—By 31 *Car. 2. c. 2.* persons who have committed any capital offence in *Scotland*, may be sent to be tried there.

**Heirs.**—By 16 *Geo. 3. c. 52.* all natural born subjects may inherit in *Scotland* as heirs, though the ancestor through whom they claim was an alien; but the claimer must be in being, and capable of taking at the death of the person last seized; and if the person on whom the descent cast be a daughter of an alien, and a son be born after, she to be divested in favour of such son; and if a daughter born after, they shall be coparceners.

**Highways.**—By 5 *Geo. 1. c. 30.* all the laws made in *Scotland* before the union for repairing highways, shall be put in execution, except such as relate to the power of privy councillors.

By

By 32 Geo. 2. c. 15. an additional toll of 5 s. *per* horse shall be laid on all waggons or carts drawn by four or more horses in *Scotland*; and taking off an horse to avoid the additional toll, or travelling with fewer horses on one part of the road than on another, is a penalty of 20 s.

Drawing with more than eight horses is a forfeiture of 5 l. but such number of horses may be used for drawing carriages up hill as the trustees shall allow. *Ibid.*

Waggons with broad wheels, or carrying only one block of marble, are not liable to the additional duty; and carriages with fellies of the wheels six inches broad, drawn by three horses, shall pay the toll only of two. *Ibid.*

Chaises and coaches are exempted. The trustees may order wheels to be measured. Carriages with wheels reduced, by wearing, not more than one inch, may pass; and hindering the measuring is a penalty of 5 l. *Ibid.*

The 11 Geo. 3. c. 53. passed for widening the highways in *Scotland*.

The 12 Geo. 3. c. 45. regulates carters, carriages and loaded horses, and streets and highways in *Scotland*.

**Houses and Windows.**—By 7 Geo. 3. c. 33. the new duty on houses and windows, by 6 Geo. 3. c. 38. is extended to *Scotland*.

**Judges.**—By 26 Geo. 3. c. 46. the salaries of the different judges were augmented and fixed as following, *viz.* the lord president 2000 l. sterling; the other lords of session 1000 l. each; the lord chief baron of the exchequer 2000 l. the other barons of the exchequer, 1000 l. each; the lord justice clerk 600 l. the other lords justiciary 300 l. each.

The 26 Geo. 3. c. 47. discharges the payment of sentence money, and other fees of court, to the judge of the court of admiralty in *Scotland*, and the payment of sentence money to the judges of the commissary court in *Edinburgh*; it directs the nomination of the said judges to be from practisers of three years, and grants them the following salaries, *viz.* the judge of the admiralty court in *Scotland* 400 l. *per ann.* and the judges of the commissary court 100 l. *per ann.* each.

The 26 Geo. 3. c. 48. to replace to the revenue the sums granted out of the same as above, towards the augmentation of the judges salaries, lays the following stamp duties on vellum, &c. in *Scotland*. On all depositions before the court of session, or affidavit in the exchequer 1 s. and for any extract from any public register, 1 s. *per* skin. This does not extend to public causes, nor civil causes under 5 l.

**Jurisdictions.**—By 20 Geo. 2. c. 43. all heritable jurisdictions in *Scotland*, except the office of high constable, shall cease. *The same* by 21 Geo. 2. c. 19. and 28 Geo. 2. c. 7.



**Justices of Peace.**—By 6 *Ann. c. 6.* they shall be appointed in every shire and stewartry.

**Justiciary.**—By 8 *Ann. c. 16.* none shall be obliged to attend the lords of justiciary in their circuits, except the sheriff, jurors and the like.

Informations to be tried before the lords of justiciary in their circuits shall be by presentments by the justices in their quarter sessions.

*Ibid.*

By 3 *Geo. 2. c. 32.* the court of justiciary may stay execution of judgment from an inferior court, thirty days.

**King.**—By 20 *Geo. 2. c. 51.* heirs of tailzie, their guardians and trustees are enabled to sell such estates to the crown.

By 1 *Geo. 3. c. 1.* the revenues in *Scotland* payable to the late king shall be levied and paid in like manner during the life of his majesty.

**Leases.**—The 10 *Geo. 3. c. 51.* gives power to let leases of entailed estates in *Scotland*.

**Linen.**—The 10 *Ann. c. 21.* 12 *Ann. c. 20.* and 13 *Geo. 1. c. 26.* direct the lengths, breadths, sorting, and whitening of linen cloth made in *Scotland*.

No bad, or mixed lintseed or hempseed, shall be imported or sold in *Scotland* 13 *Geo. 1. c. 26.* and 24 *Geo. 2. c. 31.*

By 18 *Geo. 2. c. 24.* stamp master must take the oath of office. Linens to be stamped, must be sworn to be of the manufacture of *Scotland*, and no bounty shall be paid but on linens numbered, and marked with the maker's name and abode.

By 26 *Geo. 2. c. 20.* an annuity was granted out of the duties in *Scotland* for encouraging, the linen manufactures in the Highlands.

**Malt.**—By 12 *Geo. 1. c. 4.* The barrel of ale in *Scotland* is declared not to be liable to an higher duty than 2s. by the seventh article of the union; the brewers may sell the same at 10s. 6d. the barrel, during the continuance of the duty on malt.

**Manufactures.**—By 5 *Geo. 1. c. 27.* offences in *Scotland* in seducing artificers in wool, iron, or other trades to go into a foreign country, may be prosecuted in the court of justiciary, or the circuits.

**Ministers.**—By 17 *Geo. 2. c. 11.* and 22 *Geo. 2. c. 21.* ministers and heads of colleges are subject to annual rates, for establishing a fund for a provision for the widows and children of the ministers of the church of *Scotland*.

**Nonconformists.**—By 10 *Ann. c. 7.* those of the episcopal communion in *Scotland* may assemble freely for divine worship after their own manners.

Ministers of episcopal congregations shall take the oaths, and pray for the royal family. *Ibid.* and 5 Geo. 1. c. 29.

Sheriffs shall enquire into the number of episcopal meeting-houses, and pastors are to produce certificates of their being qualified. 19 Geo. 2. c. 38. and 21 Geo. 2. c. 34.

**Notes.**—By 5 Geo. 3. c. 49. notes in *Scotland* (except post bills at seven days sight) shall be only payable on demand, on penalty of 500*l.* nor for less than 20*s.* sterling.

**Offices.**—By 9 Geo. 3. c. 41. an additional allowance of 100*l.* per ann. is granted to the receiver-general of the duties on offices in *Scotland*.

**Outlawry.**—By 22 Geo. 2. c. 48. the court before whom any indictment for high treason or misprision shall be found, shall issue writs of *capias* against the party if not in custody, or writs of proclamation, and exigent. Defendants not appearing shall be outlawed; but have the remedies allowed by the laws of *England*.

**Papists.**—By 12 Ann. stat. 2. c. 14. the lords of justiciary may inflict the same punishments on jesuits, priests and other trafficking papists, which the privy council of *Scotland* was empowered to do by an act passed in that kingdom.

By 1 Geo. 1. stat. 2. c. 20. the act 1 Will. & Mar. sess. 1. c. 15. for disarming papists, is extended to shires and stewartries in *Scotland*.

**Parliament.**—By 6 Ann. c. 6. writs under the great seal shall be directed to the several sheriffs in *Scotland*, for election of forty-five representatives.

Proclamation shall be issued for electing sixteen peers of *Scotland* to sit in parliament, to be published at *Edinburgh* twenty-five days before election. *Ibid.* c. 23.

Persons refusing to take the oaths or make affirmation are incapable of voting for member to serve in the parliament. *Ibid.*

By 12 Ann. stat. 1. c. 6. no conveyance whereon infeoffment is not taken and seisin registered a year before the teste of the writ, shall qualify any person to vote or be elected, in *Scotland*, elector refusing to swear to his estate shall be disqualified.

By 7 Geo. 2. c. 16. officers making false return shall forfeit 500*l.* and judges of session, justiciary, or exchequer, (and sheriffs depute by 21 Geo. 2. c. 19.) are incapable to be elected.

Every magistrate separating from the majority at the annual election for boroughs are to forfeit 100*l.* *Ibid.*

By 16 Geo. 2. c. 11. freeholders in *Scotland* shall be entered in a roll, and such as stand upon the roll last made up by the freeholders, or at the last election, shall be the original constituent members at their next meeting to revise the roll; but any freeholder may object and thereon appeal lies to the court of session, and if their

their order is disobeyed the penalty is 100*l.* and if the court of session affirm the freeholders order, the appellant is to forfeit 30*l.*

No division of lands, unless proved by a retour prior to *September* 16th, 1681, shall be allowed to multiply votes. *Ibid.*

Every one chosen in his absence, to serve in parliament, shall take the freeholders oath, before he takes his seat, otherwise the election is void. *Ibid.*

The roll of the electors last made up, shall be used at the next election, and taking false votes, or refusing good ones is a penalty of 300*l.* *Ibid.*

A clerk chosen by the majority of the freeholders to preside at the election shall make a true return; on pain of 500*l.* and the sheriff shall annex such return to the writ, under the like penalty. *Ibid.*

At annual elections the minority shall not separate from the majority; on pain of 100*l.* no person elected by the minority, shall have a right to act, and if they do they forfeit 100*l.* *Ibid.*

Wrongs done by the majority, may be redressed by the court of session. *Ibid.*

The common clerk of each borough in *Scotland* shall sign the commission, and fix the seal of the borough. *Ibid.*

The act 2 *Geo.* 2. c. 24. against bribery is extended to elections of commissioners in *Scotland.* *Ibid.*

Writs for election of members in parliament for *Scotland*, shall be issued with as much expedition as may be, and severally delivered to the sheriffs. *Ibid.* altered by 14 *Geo.* 3. c. 81.

**Patronages.**—By 10 *Ann.* c. 12. acts concerning patronages and presentation, by the heritors are made void, and the ancient rights of patrons restored.

By 5 *Geo.* 1. c. 29. the presentation of a person not qualified shall not be accounted any interruption of the course of time allowed to the patron, but the *jus devolutum* shall take place.

**Poynding.**—By 20 *Geo.* 2. c. 43. officers executing poyndings, shall carry the goods or samples to the market cross of the next royal burgh.

The 12 *Geo.* 3. c. 72. renders the payment of insolvents debts more expeditious, and regulates arrestments, and poyndings.

The 23 *Geo.* 3. c. 18. renders the payment of creditors more equal and expeditious in *Scotland*, and perpetuates so much of 12 *Geo.* 3. c. 72. as relates to bills and promissory notes.

**Prisons.**—By 20 *Geo.* 2. c. 43. heritors possessed of any criminal jurisdiction, shall enter with the sheriffs clerks the place for such prison; none shall be imprisoned in unentered places; and the prison shall have windows open to inspection.

By 21 *Geo.* 2. c. 19. his majesty's forts are declared lawful prisons; and officers are to receive prisoners committed by warrant from the magistrate.



**Salt.**—By 7 & 8 *Will.* 3. c. 31. salt brought from *Scotland*, or imported and landed before duty paid, shall be forfeited.

By 2 & 3 *Ann.* c. 14. no salt shall be brought or imported out of *Scotland* into *England*, on pain of forfeiture.

By 7 *Ann.* c. 11. all laws for preventing frauds upon importation and exportation of fish and flesh are extended to *Scotland*.

By 5 *Geo.* 1. c. 18. master of ship carrying salt from *Scotland* to *England*, or coastwise, shall, before landing, give a particular of the salt to the salt officer, on oath.

By 8 *Geo.* 2. c. 12. no servants employed in the salt works in *Scotland*, shall be paid their wages in salt, on penalty of 20*l.*

**Schools.**—By 19 *Geo.* 2. c. 39. private schools shall be registered, with a certificate of the master having qualified.

By 21 *Geo.* 2. c. 34. every person who shall keep any private school, shall take the oaths.

**Servants.**—By 15 *Geo.* 3. c. 28. colliers, coal bearers, and salters shall be hired as other servants.

**Sheriffs.**—By 21 *Geo.* 2. c. 19. no sheriff depute, or his substitute shall be steward, commissioner, or the like, to any subject whatsoever, on forfeiture of his office.

By 28 *Geo.* 2. c. 7. sheriff and steward deputies, shall hold their office for fifteen years, for such continuance as his majesty shall appoint, and afterwards *ad vitam aut culpam*.

**Taxes.**—The 24 *Geo.* 3. c. 7. explains certain acts of the parliament of *Scotland* concerning manufactories; and extinguishes the claims made by the proprietors of the two manufactories, called the rope and soap manufactories of *Glasgow*, to certain exemptions from customs and duties, and makes a compensation in lieu thereof.

**Tenures.**—By 1 *Geo.* 1. c. 20. vassals who continue in their allegiance, holding lands of persons adhering to the Pretender, shall hold their lands of the crown dissolved from constabulary.

By 1 *Geo.* 1. c. 54. the annual value of the services called personal attendance, shall be paid in money.

By 20 *Geo.* 2. c. 50. casualties of single and life rent escheats incurred by horning and denunciation for civil causes are taken away, and so is tenure by ward holding.

**Terms.**—By 19 *Geo.* 3. c. 38. martinmas term in the court of exchequer in *Scotland*, shall begin yearly on *November* 24, and end *December* 20, and candlemas term shall begin *January* 15, and end *February* 3.

**Title Deeds.**—Extracts of deeds destroyed by the rebels, authorized by the lords of session, shall be effectual, 20 *Geo.* 2. c. 20. and 21 *Geo.* 2. c. 17.

**Torture.**—By 7 *Ann. c. 21.* no person accused in *Scotland* shall be liable to any torture; but this shall not take away judgment in *England* where felons refuse to plead.

**Transportation.**—By 25 *Geo. 3. c. 46.* persons convicted of transportable crimes in *Scotland*, may be transported where the king in council shall appoint, and if he extends his mercy to any capital convict, the court may order such offender to be transported.

Persons contracting to transport offenders may carry them thro' any county, and persons rescuing them are guilty of felony *without* clergy. *Ibid.*

Transports found at large in *Great Britain* or *Ireland* before the expiration of their term shall suffer death, and the prosecutors of such offenders shall have a reward of 20*l.* *Ibid.*

Male prisoners under sentence of death with respite, or convicted of transportable offences, may be removed from any gaol in *Scotland* to any other in *Great Britain*, and the time of imprisonment shall be deemed part of their term. *Ibid.*

**Treason.**—By 7 *Ann. c. 21.* high treason, misprision and trial thereof shall be the same in *Scotland* as in *England*.

By 1 *Geo. 1. c. 20.* tailzies by persons attainted shall be void; and suspected persons are required to appear at *Eainburgh*, and find bail.

By 19 *Geo. 2. c. 9.* jurors in *Scotland*, in trials for treason and misprision shall be life renters of 40*s.* yearly value.

**Woollen Manufactures.**—The 6 *Geo. 1. c. 13.* and 10 *Geo. 1. c. 18.* regulate the making of plading, singrums, and stockings, directing them to be wrought and made of equal work and fineness.

## Seamen.

By 2 *Ric. 2. c. 4.* mariners retained to serve the king on the sea, departing afterwards without license, shall forfeit double the wages, and have one year's imprisonment.

By 5 *Eliz. c. 5.* fishermen and mariners shall not be compelled to serve as soldiers, except to withstand any invasion.

By 7 & 8 *Will. 3. c. 21.* registered seamen, being disabled, on certificate shall be taken into *Greenwich* hospital, and provided for, or their widows.

*Repealed as to the registering of seamen by 9 Ann. c. 21.*

Every seaman shall pay 6*d.* per month out of his growing wages towards the support of *Greenwich* hospital. *Ibid.* and 8 & 9 *Will. 3. c. 23.*

By 9 & 10 *Will. 3. c. 41.* personating any seaman, forging his letter of attorney, bill of sale, last will or the like, shall forfeit 200*l.* (*see title Felony, S, Seamen*) with costs.

No seaman's will contained in the same instrument with a letter of attorney shall be good in law. *Ibid.*

Ecclesiastical courts shall take no more than 1*s.* for administration to wife, or children of seamen dying in the king's navy, unless the goods amount to 20*l.* on pain of 10*l.* *Ibid.*

By 2 *Ann. c. 6.* parish boys may be put out apprentices to the sea service, to masters of ships; boys age shall be inserted in the indenture; the churchwardens or overseers are to pay 50*s.* for their necessary cloathing; and they are not to be impressed, until eighteen years old.

All such apprentices, until eighteen years old, are exempted from the 6*d.* per month to *Greenwich* hospital; and masters of ships are compellable to take such apprentices; on pain of 10*l.* *Ibid.*

Persons voluntarily binding themselves apprentices to the sea service, the indentures shall be registered, and protections given them for three years. *Ibid.*

When such apprentices shall be impressed, masters shall have able seamens wages for them. *Ibid.*

The lord admiral may appoint any disabled seamen, their wives and children, to be maintained in *Greenwich* hospital.

By 4 *Ann. c. 19.* seamen turned over from one ship to another, shall be paid the wages due, before such ship goes to sea, either in money, or by a ticket payable in a month.

No master of a ship shall be obliged to take an apprentice under thirteen years old. *Ibid.*

No apprentices to sea service of eighteen years old, shall be exempt from pressing, who have been in any sea service before they were bound. *Ibid.*

By 10 *Ann. c. 17.* every seaman in the service of the crown, or any subject, except of hoys, smacks or the like belonging to *London*, employed in bringing corn, fish or provisions, shall pay 6*d.* per month to *Greenwich* hospital; and masters shall detain the same out of the seamen's wages.

By 1 *Geo. 1. c. 25.* made perpetual by 9 *Geo. 1. c. 8.* fighting and disturbances of seamen in the king's yards may be inquired into by the treasurer and commissioners of the navy, who may fine the offenders not more than 20*s.* and imprison them.

By 1 *Geo. 2. stat. 2. c. 9.* all monies granted on the head of seamens wages shall be applied for these services; when any of his majesty's ships shall have been in sea pay six months, the commander shall make out pay lists immediately.

Volunteers entering their names with an officer of the fleet, to serve on board any ship, making his appearance, shall be intitled to wages from the date of his certificate, be allowed conduct money, and two months wages. *Ibid. c. 14.*

Inferior officer or seaman dying, the commander shall make out and transmit a ticket of his pay.

Seamen turned over shall besides their wages, receive two months pay in advance; but turning over the whole crew is not within the meaning hereof. *Ibid.*



Seamen deserting, shall not forfeit more wages than owing, and no ticket made out shall be stopt. *Ibid.*

All bargains and assignments concerning seamens pay or allowances shall be void. *Ibid.*

This is not to discharge any seaman from debts contracted, or to invalidate the sale of any ticket; nor to make void any indenture whereby any master is intitled to his apprentice's wages, so as such apprentice was not above eighteen years old at the time of such indenture. *Ibid.*

No letter of attorney made by any seaman in his majesty's service, shall be valid, unless made revocable, and attested by the captain. *Ibid.*

Consuls and ministers in foreign parts shall provide for seafaring men driven to their coasts, and send home such seamen by the first ships. *Ibid.*

No seaman shall be liable to be taken out of his majesty's service by any process, other than for some criminal matter, unless the debt amounts to 20*l.* on oath. *Ibid.*

By 2 Geo. 2. c. 36. no masters of ships shall proceed on voyage without agreement in writing with the mariners for wages, apprentices excepted, on forfeiture of 5*l.* for each mariner, to the use of *Greenwich* hospital.

Mariners deserting or refusing to proceed on the voyage, shall forfeit to the owners the wages then due, may be committed to the house of correction, forfeit two days pay to *Greenwich* hospital, and leaving the ship without a discharge, shall lose one month's pay. *Ibid.*

Masters shall pay mariners wages in thirty days after coming home, on penalty of 20*s.* *Ibid.*

In case of suit for wages, the master and not the seamen shall be obliged to produce the agreement. *Ibid.*

*Made perpetual and extended to America by 2 Geo. 3. c. 31.*

By 8 Geo. 2. c. 29. and 11 Geo. 2. c. 30. estates forfeited by the attainder of the late earl of *Derentwater* were appropriated to *Greenwich* hospital.

By 13 Geo. 2. c. 3. merchant ships may be navigated by foreign seamen, not exceeding three fourths, during time of war: and foreign seamen serving on board men of war or merchant ships, two years, during war, on proclamation, shall be deemed naturalized.

By 13 Geo. 2. c. 17. every person under the age of eighteen, or above the age of fifty-five, and foreign seamen serving on board *English* ships, shall be protected from impressing.

*Greenland* fishermen or sailors shall not be impressed. *Ibid.* c. 28.

By 14 Geo. 2. c. 38. widows of seamen killed in the service, shall receive a year's pay as bounty.

By 19 Geo. 2. c. 30. masters of trading ships outward bound, shall be obliged to carry mariners in the king's service, to the port they are bound to.

By 20 Geo. 2. c. 24. persons on board the fleet who shall quit their ships, forfeit their interest in prizes, to the use of *Greenwich* hospital.

Persons taking to pawn clothes, belonging to the hospital, or changing the colour or marks, shall forfeit 5*l.* and pensioners or nurses going off with the hospital clothes, shall be committed for six months. *Ibid.*

The 20 Geo. 2. c. 38. incorporated an hospital for the relief and support of seamen, in the merchants service.

Seamen disabled shall bring certificates, that they have served five years, and paid 6*d.* per month. *Ibid.*

Persons paying 50*l.* to the receiver of the hospital, shall be governors. *Ibid.*

All masters, and seamen (except apprentices) shall pay 6*d.* per month, for the uses of the same. *Ibid.*

Seamen in the *East India* company's service, are exempted and excluded. *Ibid.*

By 22 Geo. 2. c. 44. mariners who had been at any time employed in his majesty's service, were impowered to exercise trades, saving the privileges of the universities.

By 31 Geo. 2. c. 10. men borne on any ship's books as supernumeraries, are intitled to wages.

Seamen turned over from one ship to another, shall be rated and paid their wages. *Ibid.*

Captain shall report seamen fit to be discharged as unserviceable, and shall make out a ticket for their pay. *Ibid.*

Seamen abroad are enabled to remit any part of their wages to their wives or friends. *Ibid.*

Wages of apprentices shall be paid to the master, unless they be above the age of eighteen when the indentures were executed, or rated as servant to some officer to whom such apprenticeship was unknown. *Ibid.*

Captain shall transmit to the navy board regularly, pay books, lists of tickets, muster books and the like, and in wilful default shall forfeit all his wages to the chest at *Chatham*. *Ibid.*

No letter of attorney by any seaman shall entitle any one to receive any wages, pay or allowance, unless made revocable and attested by the captain. *Ibid.*

All bargains, sales and contracts concerning wages, pay or allowances, declared null, and shall be paid to the seaman himself, or his lawful attorney. *Ibid.*

Fees of court for probate of seaman's will and commissions to be 1*s.* for goods under 20*l.* 2*s.* under 40*l.* and 3*s.* under 60*l.* and taking more, 50*l.* penalty. *Ibid.*

Personating seaman, supposed to have wages due to him, or his representative, relation, creditor, or executor, or forging wills, tickets, or letters of attorney, or making false oath to obtain probate, felony without benefit of clergy. *Ibid.*

No more than 6*d.* in the pound shall be deducted for receiving and paying seamens wages, on pain of 50*l.* *Ibid.*

By 2 Geo. 3. c. 31. the forfeitures incurred by seamen, for the use of *Greenwich* hospital, by 2 Geo. 2. c. 36. shall be paid out of the seamens wages to the proper officer in *America*.

By 3 Geo. 3. c. 16. the governors of *Greenwich* hospital, after defraying the expences, may grant out pensions to such worn-out seamen, in the king's service, as are not provided for within the hospital; such out-pensions not to be assignable.

By 9 Geo. 3. c. 30. navy officers may act as justices of the peace in relation to crimes concerning the navy.

The treasurer and other officers of the navy, may grant warrants as justices, to apprehend persons charged with forging seamens tickets, wills, &c. *Ibid.*

By 26 Geo. 3. c. 63. no letter of attorney of a petty officer or seaman in the navy, shall be valid, unless made revocable. Letters of attorney and wills shall be attested by the commanding officer, or by the agent of the hospital; and if made within the bills of mortality, shall be attested by an officer appointed for that purpose; if in any out port, by the treasurer of the navy's clerk; and in any other place by the minister and churchwardens.

Letters of attorney, and wills, shall be transmitted to the navy, or sick and hurt boards, if executed abroad; or if executed in *England* or *Ireland*, to the navy office. *Ibid.*

Letters of attorney, and wills, shall be delivered to the officers appointed to inspect them, who is to register them, and to examine the signatures of the witnesses; and where they appear not to be genuine, to stop them, and give the parties notice thereof; if genuine, approbation shall be stamped thereon, and kept as vouchers of the navy accounts. Notice shall be sent to the attornies when powers are approved, and also checks to authorize them to receive the money. Notice of approbation of wills likewise shall be sent, which shall authorize the executor to obtain probates; and probates shall be lodged with the inspector, and the same certified upon the check. *Ibid.*

The inspector shall send checks to the minister who transmits powers of attorney, or wills, to be delivered to the grantors; and letters touching these premises, shall pass free of postage. *Ibid.*

Grants of letters of attorney shall be inserted in the monthly returns. *Ibid.*

Wages due to men dying intestate, may be recovered by their administrators; who are first to apply by petition to the inspector of seamens wills, stating their title to administration, which inspector is thereupon to certify to a proctor in Doctor's Commons, that such petition is true, in order that the petitioner may have letters of administration, if intitled thereto by law. *Ibid.*

Proctors assisting in procuring probates of wills, or administrations contrary hereto, are to forfeit 500*l.* and be disabled. *Ibid.*

Abstracts of this act shall be hung up in every ship; and no captain shall have his general certificate till the navy board are satisfied it has been done. *Ibid.*



## Serjeants at Arms.

By 13 Ric. 2. *stat. 1. c. 6.* there shall be but thirty serjeants at arms, who shall meddle with nothing but touching their offices, and do no extortion.

## Service and Sacraments.

By 1 Ed. 6. *c. 1.* any person speaking against the sacrament, or against the receiving thereof, in both kinds, shall, on conviction, suffer fine and imprisonment.

The sacrament shall be delivered to the people under both kinds of bread and wine, the minister is not to deny the same to any that humbly desire it, without a lawful cause, any ordinance to the contrary notwithstanding. *Ibid.*

All acts concerning doctrine, or matters of religion were repealed. *Ibid. c. 12.*

By 2 & 3 Ed. 6. *c. 1.* uniformity of service and administration of the sacraments, according to the book of common prayer, shall be observed throughout the realm.

Persons depraving the book of common prayer, shall forfeit 10*l.* for the first offence, and 20*l.* for the second. *Ibid.*

The bishop may associate with the justices of oyer and terminer for determining the said offences. *Ibid.*

The two universities may use prayer in their chapels, in *Greek*, *Latin*, or *Hebrew*, except the communion. *Ibid.*

The said offences are inquirable and punishable by the ecclesiastical jurisdiction. *Ibid.*

By 5 & 6 Ed. 6. *c. 1.* every person shall resort to his parish church or chapel upon *Sundays* and holidays.

Persons being present at any other form of service shall suffer imprisonment. *Ibid.*

By 1 Mar. *stat. 2. c. 3.* any person disturbing a preacher, molesting a priest in service, breaking any altar, crucifix, or the like, shall be committed to prison; and any rescuing such offenders, shall forfeit 5*l.* and also the parish, if he escape.

By 1 Eliz. *c. 2.* ministers using any form of church service but such as is mentioned in the book of common prayer, or lessons not appointed for *Sundays*, the litany, and the like, shall forfeit for the first offence a year's profit of their livings, and suffer six months imprisonment; for the second shall be deprived. Persons depraving the book of common prayer by rhimes, interludes, or otherwise, shall forfeit 100 marks, or be imprisoned six months.

Persons not resorting to church or chapel shall be liable to censures of the church, and a forfeiture of 1*s.* for every *Sunday*. *Ibid.*

By 13 Eliz. *c. 12.* every ecclesiastical person shall, in the presence of the bishop, subscribe to the articles and declare his assent thereto; and maintaining doctrine against them, shall be cause of deprivation.

## 568 Service and Sacraments.

No person shall be admitted to a benefice with cure, unless he be of the age of twenty-three at least, and a deacon, and subscribe and read the articles, within two months after induction, on default he shall be *ipso facto* deprived. *Ibid.*

None shall be admitted to preach or administer the sacraments under the age of twenty-four, nor without testimonial, and shall render account of his faith to the ordinary, and subscribe to the articles. *Ibid.*

None shall be admitted to any benefice with cure, of the value of 30*l.* a year in the king's books, unless he be a bachelor of divinity, or licensed. *Ibid.*

All admissions and dispensations to the contrary of this act, shall be merely void. *Ibid.*

By 13 & 14 *Car. 2. c. 4.* the book of common prayer shall be used, and every person promoted to any ecclesiastical benefice, shall read the same, and declare his assent thereto within three months, on pain of deprivation; unless some lawful impediment be allowed by the ordinary.

Incumbents of livings, keeping curates, shall read the same once a month, on pain of 5*l.* *Ibid.*

Deans, canons, prebendaries, persons in orders, and school-masters shall subscribe the declaration, on pain of deprivation. A certificate whereof is to be publicly read in the church within three months. *Ibid.*

And school-masters, or private tutors, teaching before they have subscribed the declaration, and obtained license from the bishop of the diocese, shall, for the first offence, be imprisoned three months, and for every other offence be imprisoned the like space, and forfeit 5*l.* *Ibid.*

Persons not ordained priests or deacons according to episcopal ordination, shall not hold any ecclesiastical promotion, nor shall they consecrate or administer the sacrament if not ordained according to the book of common prayer, on pain of 100*l.* *Ibid.*

No other form of common prayer shall be openly used; but the universities, and the colleges of *Westminster*, *Eaton*, and *Winchester*, may use the service in *Latin*. *Ibid.*

The common prayer shall be read before every lecture, and the lecturer shall be present, excepting sermons and lectures in the universities. *Ibid.*

True printed copies of the common prayer shall be provided in all churches and chapels, on pain of 3*l.* a month. *Ibid.*

By 23 *Geo. 2. c. 28.* the allowance of a lawful impediment shall extend to the not reading the certificate and declaration within the time limited.

Persons who shall read the articles and declaration at the time of reading the morning and evening prayer, are declared to have complied with the intent of 13 *Eliz. c. 12.* *Ibid.*

## Sewers.

By 23 *Hen. 8. c. 5.* commissions of sewers shall issue into all parts of the realm, where and when need shall require, directed to substantial persons nominated by the lord chancellor, who are to inquire of all walls, ditches, gutters, sewers, and trenches, and of annoyances, by whose default, who hath loss or benefit, they are to make and ordain laws, but not to continue longer in force than the commission, they are to appoint collectors, may decree lands to be sold, and distrain for the charges on non-payment. The commissioners are allowed 4 *s.* a day and their clerks 2 *s.*

By 25 *Hen. 8. c. 10.* no person is compellable to act in the commission of sewers, unless he be dwelling within the county; and commissioners refusing to take the oath appointed, shall forfeit five marks.

By 3 & 4 *Ed. 6. c. 8.* all sums rated by force of the commission of sewers upon any of the king's lands, shall be leviable by distress on the occupier.

By 1 *Mar. stat. 3. c. 11.* commissioners of sewers in the county of *Glamorgan*, are authorized to make orders for saving the land from destruction, by sands rising out of the sea.

By 13 *Eliz. c. 9.* commissions of sewers shall continue ten years, unless repealed by a new one, or superseas; and orders shall be by indenture.

The commissioners order shall continue one year, though the commission expires, unless a new one issues. *Ibid.*

No farmer of lands, not having a freehold of 40 *l.* a year, shall act under any commission of sewers, relative to his own lands. *Ibid.*

The fines and americiaments shall be estreated into the exchequer yearly. *Ibid.*

By 7 *Ann. c. 10.* commissioners of sewers, for non-payment of any lot assessed on copyhold lands, may decree the same from the owners, and the purchasers of such copyholds are to agree with lords for the accustomed fines, and be admitted.

Six of the commissioners may, by warrant, empower any person to levy the assessments by distress and sale, the overplus to be restored to the owner. *Ibid.*

## Sheep.

By 3 *Hen. 6. c. 2.* none shall export any sheep, on pain of forfeiture.

By 25 *Hen. 8. c. 13.* no man shall have above 2000 sheep, on pain of 3 *s.* 4 *d.* for every extra one; but this does not extend to lambs under one year old, or sheep coming by executorship, or marriage, so as the number be reduced as above within one year, nor to sheep bequeathed by will to a child within age; and every person temporal may keep upon his inheritance as many sheep as he will.



Supernumerary sheep for the maintenance of the house may be kept, and six score of sheep shall be accounted an hundred. *Ibid.*

No man may take above two farms, unless he be resident in the parish, on pain of 3 s. 4 d. a week; and spiritual persons may keep as many sheep as they please on their own lands. *Ibid.*

By 8 *Eliz. c. 3.* exporters of any manner of sheep alive, shall, for the first offence, forfeit all their goods, suffer a year's imprisonment, and have their left hand cut off; the second offence is felony.

By 14 *Geo. 2. c. 6.* stealing sheep, (*lamb, bullock, or other cattle,* 15 *Geo. 2. c. 34.*) or part of the carcase, is made felony without benefit of clergy.

By 13 *Geo. 3. c. 81.* no rams shall be kept in the common fields between 25th *Aug.* and 25th *Nov.*

## Sheriffs.

By *Mag. Chart. 9 Hen. 3. c. 7.* no sheriff, constable, escheator, coroner, nor other of the king's bailiffs, shall hold pleas of the crown.

By 13 *Ed. 1. c. 39.* sheriffs shall sign a bill of process received, pay damages for not returning writs, shall be amerced if issues be found too small, must remove force by power of the county, and imprison resistors. *Enforced by 28 Ed. 1. c. 16.*

By 27 *Ed. 1. stat. 1. c. 2.* a sheriff shall levy no more issues than he has warrant for, shall make tallies for all that he or his officers have received; and a baron and clerk of the exchequer shall be sent yearly into every county, to enrol the names of those who have paid.

By 28 *Ed. 1. c. 8.* sheriffs, that are not of fee, shall be chosen by the county if they will.

The counties shall not chuse sheriffs that shall be chargeable to them, nor for rewards or bribes. *Ibid. c. 13.*

By 9 *Ed. 2. stat. 2.* sheriffs shall be assigned by the chancellor, treasurer, barons of the exchequer, and the justices. None shall be sheriff unless he have sufficient land within the shire, (*the same by 5 Ed. 3. c. 4.*) nor who is steward or bailiff to a great lord; no sheriff shall lease his office in ferm. Execution of writs that come to the sheriffs shall be done by the hundredors sworn, saving others franchise of return.

By 14 *Ed. 2. stat. 1.* process is directed against sheriffs receiving the king's debts, and not acquitting the debtors at the exchequer.

By 2 *Ed. 3. c. 4.* sheriffs and bailiffs of fee shall keep their counties and bailiwicks, by such as have lands therein.

By 14 *Ed. 3. c. 7.* no sheriff shall continue in office over one year, and then another shall be ordained in his place sufficient, yearly, on the morrow of *All Souls* at the exchequer.

Sheriffs shall put in such bailiffs for whom they will answer, and there shall be but one bailiff errant in one county. *Ibid. c. 9.*

By 28 *Ed. 3. c. 7.* and *c. 9.* no sheriff that has been in his office by a year, shall abide in the same the next year following; and

no

no writ or commission shall be directed to sheriffs to charge an inquest to indict any.

By 42 *Ed.* 3. c. 9. no sheriff, under-sheriff, or sheriff's clerk, shall abide in his office above one year.

By 1 *Ric.* 2. c. 11. none that hath been sheriff shall be so again in three years, if there be other sufficient in the county.

By 1 *Hen.* 4. c. 11. sheriffs shall not be charged with the ancient farms, but shall account in the exchequer, and have allowance by their oaths of the issues of the counties; and shall be punished for extortion at the king's will.

By 4 *Hen.* 4. c. 5. every sheriff shall, in person, continue in his bailiwick, and not let it to farm: shall be sworn thereto in special, amongst other articles in the oath of sheriff.

By 1 *Hen.* 5. c. 4. the sheriffs bailiffs shall not be in the same office for three years after; and under-sheriffs shall not be attornies while in office.

By 4 *Hen.* 5. c. 2. sheriffs shall have allowance in their accounts of things casual, as estreats upon their oaths, but not of yearly farms certain.

By 23 *Hen.* 6. c. 8. the statutes, that no marshal be sheriff above one year, are confirmed; and any sheriff or under-sheriff occupying his office to the contrary shall forfeit 200*l.* for every year; and patents *non obstante* shall be void; except under sheriffs in *London*, and sheriffs of inheritance.

No sheriff shall let to farm, in any manner, his county. None of his officers shall be returned on inquests, nor take money to omit arrests, or for letting to bail, excepting 20*d.* for the arrest, 4*d.* for bailiff, and 4*d.* for the return. He shall bail persons arrested, upon reasonable sureties, conditioned to appear at the day in the writ, and shall make a deputy yearly in the courts at *Westminster*. Doing contrary, shall forfeit treble damages and 40*l.* and returning *cepi corpus*, or *reddidit se*, shall be chargeable to have the bodies. *Ibid.* c. 10.

By 12 *Ed.* 4. c. 1. the sheriff may execute and return writs in *Michaelmas* term, though after the year his patent bore date, until he receive a writ of discharge.

By 17 *Ed.* 4. c. 6. every sheriff may execute his office during *Michaelmas* and *Hilary* term, if he hath not before his writ of discharge.

By 11 *Hen.* 7. c. 15. no sheriff shall enter any plaint in the county court; but where the plaintiff or his attorney is present, nor more than one for one trespass, on forfeiture of 40*s.* and justices of peace may inquire, and view their estreats.

By 6 *Hen.* 8. c. 18. under-sheriffs of *Bristol* may occupy their offices from year to year, in like sort as in *London*.

By 34 & 35 *Hen.* 8. c. 16. sheriffs, upon their accounts in the exchequer, shall be discharged of sums, which, by their oath, they cannot levy; and shall have allowance for their reasonable expences for diet of the justices of assize.

By

By 2 & 3 *Ed. 6. c. 4.* every sheriff shall have tallies of reward delivered to him, without other charge; and sheriffs that take no tally of reward; upon their accounts shall, on petition, have allowance of their bill of costs, and expences sworn to.

Such sheriffs shall, upon their oath, be discharged of all such monies as they cannot levy. *Ibid.*

The sheriff shall be sworn to bring into the exchequer, rolls of parchment of money which he hath, or might have levied; and process shall issue thereon, that the king may be truly answered. *Ibid.*

By 1 *Mar. stat. 2. c. 8.* no sheriff shall exercise the office of justice of peace, while he is in that service.

By 8 *Eliz. c. 16.* every county shall have a several sheriff.

By 27 *Eliz. c. 12.* under-sheriffs and bailiffs, besides the oaths of supremacy, &c. shall be sworn not to exercise the office corruptly, nor take reward for returning any jury; acting without taking the oath, is a penalty of 40*l.* and acting contrary thereto incurs treble damages.

By 29 *Eliz. c. 4.* sheriffs may lawfully take upon any extent or execution, one shilling in the pound, where the sum levied exceeds not 100*l.* and 6*d.* for every 20*s.* above. Taking more shall pay treble damages and forfeit 40*l.*

By 21 *Jac. 1. c. 5.* all sheriffs, who upon passing their accounts, shall have their *quietus est*, shall be absolutely discharged of all sums pretended not to be accounted for, unless questioned within four years; and officer suing process contrary hereto, shall forfeit 40*l.*

By 13 & 14 *Car. 2. c. 21.* no sheriff in assize time shall keep a table for the entertainment of any but those of his own retinue, nor make any present to a judge, or have above forty servants in liveries, or under twenty attending him at the assizes, under the penalty of 200*l.* But this does not extend to sheriffs of *London, Middlesex, Westmoreland*, or any city or town.

By 3 *Geo. 1. c. 15.* clerks concerned in passing sheriffs' patents or accounts, shall take only the fees specified in the schedule to the act, on pain of 5*l.* and treble the sum taken, with treble costs.

The rents and certainties yearly, set in process to sheriffs, shall be settled and entered on record, and shall be the profits payable by each sheriff. *Ibid.*

Sheriffs levying debts (except post fines) shall have 1*s.* in the pound for the first 100*l.* and 6*d.* for every 20*s.* above, and on process by *f. fa.* and extent out of the exchequer, shall have 1*s.* 6*d.* in the pound for the first 100*l.* and 1*s.* for every 20*s.* above, provided he duly answers for the same on his account. *Ibid.*

Sheriffs need not charge the rewards for taking felons in their accounts, but may apply to the treasury for the same immediately. *Ibid.*

No sheriff shall be attached for not finishing his accounts, but by writ under the exchequer seal, or warrant of a baron, expressing his name and offence. *Ibid.*

Clerk



Clerk refusing to make out sheriff's quietus, after payment or tender of due fees, shall make such satisfaction as the barons shall order in a summary way. *Ibid.*

Sheriff who shall be in surpluse by disbursements for the king's services (except in the counties palatine and *Wales*) may apply to the treasury, and have the same paid on certificate. *Ibid.*

Sheriff dying before his office is expired, his under sheriff shall execute the same, till another sheriff be appointed. *Ibid.*

Where a sheriff seizes goods for the king's debt, and the subsequent sheriff makes sale, the exchequer may apportion the fees. *Ibid.*

No person shall buy, sell, or farm, the office of under sheriff, on forfeiture of 500*l.* but this is not to hinder the taking lawful salary, fees and recompence. *Ibid.*

The barons of the exchequer may amerce clerks for neglect of their duty in returning estreats into the exchequer, and cause such americiaments to be levied in the usual manner. *Ibid.*

Sheriffs and others employed in collecting debts due to the crown, shall take no fee, except 4*d.* only for an acquittance; not answering the same shall forfeit treble damages. *Ibid.*

The sheriff may take poundage allowed for extraordinary service, by warrant of the treasury. *Ibid.*

Sheriffs executing *habere facias possessionem*, shall not take above 1*s.* in the pound of the yearly value, where the whole exceeds not 100*l. per ann.* and only 6*d.* in the pound above. *Ibid.*

Sheriffs shall take poundage for executing a *ca. sa.* upon any judgment, for no greater sum than what remains due to the plaintiff, who is to mark the same on the back of the writ; any sheriff taking more than hereby allowed, is guilty of extortion, and shall forfeit treble damages, and double the sum extorted, and 200*l.* to the informer. *Ibid.*

This act is not to extend to the sheriffs of *London, Middlesex, Durham, Westmoreland*, or any city, as to their disposing of the offices of their under sheriff. *Ibid.*

The sheriff of *Wales*, and counties palatine, shall account before the auditor, whose quietus shall be a sufficient discharge. *Ibid.*

The yearly sum of 4000*l.* shall be set apart in the exchequer, to be paid to sheriffs for the expences of their patents, accounts, and obtaining their quietus, without paying any fees, and according to the proportions therein mentioned. *Ibid. c. 16.*

By 6 *Geo. 1. c. 21.* no sheriff shall make out a warrant before he has the writ, on pain of 10*l.* and every warrant to be made out on a writ shall have the day and year set down thereon, on forfeiture of 10*l.*

By 20 *Geo. 2. c. 37.* process *unexecuted* by the sheriff at the expiration of his office, shall be turned over to the succeeding sheriff by indenture and schedule, on penalty of making good the damage.

No sheriff shall be liable to make return of any writ, unless required within six months after the expiration of his office. *Ibid.*

By

By 24 *Geo. 2. c. 48.* the day of assembling at the exchequer for ordaining sheriffs, shall be on the morrow of Saint *Martin*.

By 32 *Geo. 2. c. 14.* the receiver of the post fines, and his sureties, shall be liable to the sheriff.

The receiver shall pay the post fines to the sheriff, on producing his quietus, and shall deduct no more than 6 *d.* in the pound; and forging the receiver's hand, is felony without clergy. *Ibid.*

By 7 *Geo. 3. c. 29.* sheriffs shall not take poundage on executions, at the suit of any sheriff, or other officer, or minister of the crown, on bail bonds, on prosecutions for smuggling, or where the sheriff would not be intitled to poundage, if the proceedings were in the name of the king.

## Ships.

By 28 *Ed. 3. c. 13.* no ship fraught towards *England*, shall be constrained to come to any port, or abide against the will of the merchants or masters, and they shall deliver their goods freely.

By 14 *Rich. 2. c. 6.* *English* merchants shall freight only in *English* ships, so that the owners take reasonable freight.

By 4 *Hen. 7. c. 10.* no *Tholouse* woad shall be imported, but in *English* or *Irish* ships.

By 34 & 35 *Hen. 8. c. 9.* unlading of *ballast* in any haven or river running to a port, except on the land above high water mark, is a forfeiture of 5 *l.*

By 5 & 6 *Ed. 6. c. 18.* *Gascoin* or *Guien* wines, or *Tholouse* woad, may be imported in foreign ships, as well as *English*.

By 5 *Eliz. c. 5.* no wines, nor *Thoulouse* woad, shall be imported from *France*, but in *English* shipping, on pain of forfeiture.

By 8 *Eliz. c. 13.* the corporation of the Trinity House at *Deptford Strond*, may erect beacons, marks, and signs for the sea, near the sea coasts; and any person taking down a sea mark, shall forfeit 100 *l.* and not being worth so much, shall be deemed convict of outlawry.

By 13 *Eliz. c. 12.* No ships called catch, monger, or pickard, shall anchor upon the sea coasts of *Norfolk* and *Suffolk*, in the time of common fishing, on forfeiture of the ship and fish.

No foreign fish to be dried in *England* shall be sold on forfeiture thereof. *Ibid.*

By 11 *Car. 2. c. 18.* no goods shall be imported from the plantations, but in *English* ships navigated by three fourths *English*; and no one shall be a merchant or factor there, who is not a subject, naturalized, or made a free denizen, on forfeiture of all his goods.

No goods of the produce of *Asia*, *Africa*, or *America*, shall be imported, but in ships of *England*, or *Ireland*, or the Plantations, the master and mariners being three fourths *English*, on forfeiture of ship and goods. *Ibid.*

No goods of foreign growth or manufacture shall be imported in *English* ships, but only from the places of their said growth. *Ibid.*

Dried

Dried or salted fish imported, not having been caught in vessels of the proprietors themselves, shall pay double alien's customs. *Ibid.*

*But see title Fish, and the new rates under Importation, &c.*

No goods shall be carried from one port of *England* to another, in the vessel of any alien not denizenized. *Ibid.*

Abatements in the book of rates to goods carried in *English* shipping, shall extend only where three parts of the mariners are *English*. *Ibid.*

No goods shall be imported of the produce or manufacture of *Muscovy* timber (as to timber, see 287) salt, tar, hemp, flax, raisins, figs, olive oil, grain, sugar, pot ashes, wines or spirits, but in vessels whereof the master and three fourths of the mariners be *English*; and no commodities of the produce of the *Turkish* empire, but in vessels *English* built, and so navigated, or vessels of that country of which the goods are the growth. *Ibid.*

Officers of the customs are not to allow any privilege to any foreign built ship, until certificate or proof. *Ibid.*

By 22 & 23 *Car. 2. c. 11.* master of a ship of 200 tons, and sixteen guns, delivering her up to any pirates, without fighting, is rendered incapable of future command.

The master shall not leave his ship, and go on board a *Turkish* ship or rover. *Ibid.*

Master of a ship under 200 tons, and sixteen guns, shall not yield to any pirate, not having at least his double number of guns, without fighting. *Ibid.*

Mariners or inferior officers refusing to fight and defend the ship, shall lose all wages due, and have six months imprisonment and hard labour. *Ibid.*

Where the master is forced by the mariners to yield his ship, he shall not be liable, and mariners laying hands on the commander to hinder him from fighting in defence of his ship, shall suffer as felons. *Ibid.*

Officers or seamen wounded in defence of their ship, shall have reward from the owners, not exceeding 2 *l.* per cent. amongst them. *Ibid.*

Merchant ship, taking a ship that first assaulted them, shall have such share thereof as usual in privateers. *Ibid.*

Any officer or mariner wilfully destroying the ship, shall be guilty of felony. *Ibid.*

By 1 *Jac. 2. c. 18.* foreign built ships employed in the coasting trade, shall pay a duty of 5 *s.* per ton for every voyage, to the chest at *Chatham*, and to the Trinity House; if they belong to *English* owners, 1 *s.* per ton.

By 4 *Ann. c. 20.* the Trinity House were enabled to erect a new light-house on the *Edystone* Rock, and to take of inward bound and outward bound *English* ships 1 *d.* per ton, of alien ships 2 *d.* per ton, and of coasters 2 *s.* a ton.

By 6 *Ann. c. 37.* for speedy condemnation of prize ships in *America*, the judges of admiralty, within five days after request, shall finish



finish the preparatory examination. Monition shall be issued, claimants shall give security to pay the captors the value; and on refusal, the captors shall give security, whereupon interlocutory order is to be made.

Captor or claimant may appeal from sentence of admiralty to her majesty in privy council, within fourteen days, giving security to prosecute, and paying double costs. *Ibid.*

Seamen belonging to privateers in *America*, shall not be liable to be impressed, unless deserters from ships of war, and no privateer shall entertain deserters from ships of war. *Ibid.*

Commanders of privateers, before they sail from port, shall deliver a list of their men to the chief officer of the customs, who is to give a duplicate thereof to the commander, to be shewn to any naval officer on demand, and the commander shall forfeit 20*l.* for every royal seaman on board, not mentioned in the list.

Commanders of privateers and ships having letters of marque, going into any ports in *America*, shall be subject to the slave laws. *Ibid.*

*As this act is in great part expired, having had continuance only during the war, the editor doubts whether any part of it is now in force,*

By 3 Geo. 1. c. 13. continued by 18 Geo. 3. c. 45. until March 25, 1792, no person shall pilot any ship from *Dover*, *Deal*, or the isle of *Thanet*, to the *Thames* or *Medway*, unless he hath been examined by the Trinity House, and been admitted into that society. the first offence is 10*l.* the second 20*l.* and every other 40*l.*

Masters residing at *Dover*, *Deal*, or the isle of *Thanet*, may pilot their own ships, if none of the society be ready so to do. *Ibid.*

Masters of merchant ships may choose their pilots, and members of the society shall pilot ships twice a year. *Ibid.*

The prices of piloting shall be for every ship drawing seven foot water, 3*l.* 10*s.* eight foot water, 4*l.* and so on encreasing 10*s.* for every foot, as far as seventeen foot. *Ibid.*

A pilot losing a ship shall be incapacitated. There are to be 120 in number, and their names shall be affixed in the custom-houses; and the master of the Trinity House shall return such list, on penalty of 10*l.* *Ibid.*

Differences concerning salvage of lost anchors, shall be adjusted and determined in twelve hours, by persons appointed by the warden of the cinque ports. *Ibid.*

But this is not to hinder any from assisting ships in distress. *Ibid.*

Those who are appointed to examine into the ability of pilots, shall be sworn to do the same faithfully; but this does not extend to the corporation of the Trinity House of *Deptford Strond*. *Ibid.*

By 7 Geo. 1. c. 21. continued with the above. The lord warden of the cinque ports, with assent of the commissioners of load manage, may make orders for the better government of pilots, and shall order not less than eighteen to ply constantly upon the sea.

By 8 Geo. 1. c. 17. persons shall be appointed by the *British* merchants residing in *Portugal*, assembled with the consul general, may receive from all masters of foreign ships trading from *Great Britain*,

*Sain* or *Ireland* to *Portugal*, 200 reis per ton, on all tonnage goods (except wheat, barley, rye, coals, timber, and lumber) no which they may receive 100 reis per ton, and 15 *l. per cent.* on the freight of other goods exported to *Portugal*; and the consul may detain the clearances outward, till paid.

The above monies are to be applied to assist shipwrecked mariners, and distressed persons, (*English subjects*) in *Portugal*. *Ibid.*

By 3 *Geo. 2. c. 36.* ships passing *Saint George's Channel*, shall pay 1 *d.* per ton to the Light House, upon the island or rock called *Skerries*, and the post master general 50 *l. per ann.*

By 5 *Geo. 2. c. 20.* no one shall pilot vessels in the channel, unless licensed and approved by the corporation of the Trinity House, on pain of 20 *l.* This does not extend to the coal trade.

No ship guns shall be fired between *London* and *Blackwall* after sun-set, on pain of 5 *s.* a gun; nor shall any pitch, tar, or rosin, be melted on board such vessels, on pain of 5 *l.* *Ibid.*

An elder brother of the Trinity House, authorized, may go on board any vessel, and search for powder, guns fired, or combustible matters; and, if opposed, the master is to forfeit 5 *l.* *Ibid.* and 12 *Geo. 3. c. 61.*

Ships mooring in *St. Saviour's Dock*, unless while loading or repairing, shall forfeit 20 *s.* a day. *Ibid.*

By 6 *Geo. 2. c. 29.* and 32 *Geo. 2. c. 16.* continued by 23 *Geo. 3. c. 8.* until *June 24, 1794*, the prices to be paid for ballast shall be for every ton carried to ships in the coal trade, 12 *d.* other *British* 15 *d.* and foreign ships 19 *d.* and the corporation of the Trinity House shall pay for every ton of ballast 9 *d.* viz. 6 *d.* to the men, and 9 *d.* for the lighter. But the price of waited ballast is not altered.

Ballast men delivering short quantities, or not observing orders, shall forfeit 2 *s.* 6 *d.* per ton. *Ibid.*

The masters and wardens shall make good deficiencies in ballast delivered, on penalty of 50 *l.* Owners of ships shall not compel ballast men to deliver ballast contrary to order, and collusively receiving more ballast than is entered at the office, is a penalty of 2 *s.* 6 *d.* per ton. *Ibid.*

Ballast men refusing to work at the wages appointed, or obstructing the work, shall forfeit 5 *l.* The burthen of ballast lighters shall be marked; and masters of ships taking ballast, may appoint persons to inspect the marks of ballast lighters. Lighters, on suspicion, shall be re-weighed, and the corporation, on negligence, are to forfeit 50 *l.* But two lighters only shall be re-weighed in one week. *Ibid.*

Masters of ships may appoint persons to inspect the lighter's depth in the water, and, if obstructed, the penalty is 5 *l.* *Ibid.*

Working lighters not weighed and marked, or defacing the gauge marks, is a penalty of 10 *l.* *Ibid.*

Ballast men demanding money of masters of ships, are to forfeit 40 *s.* They are to be subject to the regulations of the corporation; but their wages shall not be lessened. *Ibid.*

Masters of ships may carry from the *Thames* dung, chalk, soap ashes, flints, or clay, as ballast, on entry at the ballast office and license, for which they are to pay 1 *d.* a ton; and if they carry the same without license, the penalty is 5 *l.* *Ibid.*

But the dung, chalk, and rubbish, so used, are not to exceed 3000 tons of each yearly, besides 2000 tons from the laystalls in *London*, and the soap ashes 2000 tons. *Ibid.*

Owners of ships may ship as ballast, bricks, tiles, and lime, without paying for a license. *Ibid.*

Vessels shall unload their ballast on some wharf or ground above high water mark, or into lighters of the Trinity House, who are to furnish the same, on pain of 50 *l.* They are to be paid 6 *d.* a ton for ballast unloaded into their lighters, and unloading ballast otherwise, is a penalty of 5 *l.* and unloading or throwing rubbish into the river, is a penalty of 40 *s.* *Ibid.*

Soil for ballast shall be first laid on board some marked lighter, and from thence delivered on board the coaster or collier, on pain of 5 *l.* *Ibid.*

By 7 *Geo. 2. c. 15.* owners of ships shall be liable only to forfeit the value of the ship and freight, for embezzlements committed without their knowledge.

If several proprietors suffer by such embezzlement, and the value of the ship be not sufficient to compensate their loss, their proportions shall be determined by average, and the freighters or owners may exhibit a bill for discovering the amount of such losses. *Ibid.*

Part owners exhibiting such bills, shall annex an affidavit to it, that they do not collude with the defendant. And this act is not to abridge the remedy at law against the master or mariners for embezzlements. *Ibid.*

By 9 *Geo. 2. c. 25.* for relieving shipwrecked mariners, and distressed persons (king's subjects) in the ports of *Cadiz*, and *Port Saint Mary's*, in *Spain*, the person appointed by the consul, with the majority of the *British* merchants there, may receive one ryal plate per ducat, for all goods imported to *Cadiz* and *Port Saint Mary's*, and detain the vessels from clearing outwards till paid; and 10 *Geo. 2. c. 14.* grants a duty of one livre a ton, and one third of a livre per bale on goods imported at *Leghorn*, for the like charitable purposes.

By 13 *Geo. 2. c. 3.* merchants ships may be navigated by three fourths foreigners, during any war, upon publishing proclamation.

By 17 *Geo. 2. c. 36.* goods belonging to aliens may be imported from *Spain* and *Portugal*, the produce of their dominions, in ships navigated according to law.

By 18 *Geo. 2. c. 17.* a reward of 20,000 *l.* is payable to the owner of the vessel discovering a North West passage.

The 22 *Geo. 3. c. 33.* established articles for the government of his majesty's ships and forces by sea.

Offences are not to be tried by court martial, unless committed within the jurisdiction of the admiralty, except those as to spies, mutiny, or offences committed on shore. *Ibid.*



No land officer or soldier on board any transport ship, shall be tried by a naval court martial. *Ibid.*

Any person refusing to give evidence at court martial, prevaricating, or behaving with contempt, may be committed to prison, and for perjury, prosecuted. *Ibid.*

The articles shall be in force with respect to crews of ships lost or destroyed, and the pay and wages of those who did their duty shall be continued. *Ibid.*

No person not flying from justice shall be tried, unless complaint be made in writing to the admiralty, or a court be ordered within three years, or within one year after the return of the ship or offender. *Ibid.*

By 24 Geo. 2. c. 45. persons convicted of theft to the value of 40 s. on board any ship or vessel, in any port, navigable river or harbour, shall be excluded from benefit of clergy.

By 26 Geo. 2. c. 19. persons convicted of plundering shipwrecked goods, or of obstructing the escape of any person from a wreck, or of putting out false lights, shall suffer death without benefit of clergy.

By 29 Geo. 2. c. 27. the articles of war for his majesty's navy and ships of war in 22 Geo. 2. c. 33. are extended to officers and seamen serving in his majesty's vessels employed in the *American* lakes.

By 32 Geo. 2. c. 25. privateers agreeing for the ransom of neutral ships made prizes, and discharging them without bringing them in to port, shall be deemed piracy, and the offenders shall suffer death and confiscation of goods.

By 1 Geo. 3. c. 8. the rules established by 22 Geo. 2. c. 33. are extended to all his majesty's marine forces during their being borne as part of the complement of any ships of war.

By 9 Geo. 3. c. 39. ships (*not belonging to the royal navy,*) stopping at, or fastening to the king's moorings or hulks, or so as to bear against the king's ships, unless necessitated, shall forfeit 10 l. per tide, one moiety to *Greenwich* Hospital, the other to the prosecutor, and may be removed, for not complying, on notice.

By 13 Geo. 3. c. 26. no foreigner shall purchase any share in *British* ships without the consent of the owners of three fourths in value.

Rule for ascertaining the tonnage of ships, *viz.* length in a straight line along the rabbet of the keel, from the back of the main stern post to a perpendicular line from the fore part of the main stern post under the bowsprit, from which subtract three fifths of the breadth, the remainder is the length of the keel to find the tonnage; and the breadth shall be taken from the out side plank, in the broadest place of the ship, above or below the main wales, exclusive of all doubling planks wrought on the sides of the ship, multiplying the length of the keel by the breadth so taken, and that product by half the breadth and dividing the whole by 94, the quotient is the true contents of the tonnage. *Ibid.* c. 74.

But this is not to extend to coal ships, or those employed in the herring fishery. *Ibid.*

By 16 Geo. 3. c. 6. if any ship shall sail through the passage by sea between the *Atlantic* and *Pacific* Oceans, northward of 52 degrees of north latitude, the commander is to receive 20,000 l.

Any *British* ship first approaching within one degree of the North Pole, shall have 500*l.* the commissioners of longitude shall determine it, and the reward shall be claimed in six months after the ship's arrival in *Great Britain*. *Ibid.*

By 21 *Geo.* 3. *c.* 39. if the master of any vessel shall conceal more than two gallons per man of foreign spirits, or tea above 6 lb. or coffee 19 lb. or any other uncustomed goods, he shall forfeit to his owners all his wages, and treble the value of the goods concealed.

If the mates or seamen shall conceal any of the said goods (above the quantity allowed by law,) they shall forfeit their wages, and also 10*s.* per gallon, and 10*s.* per lb. and if in time of war, they shall serve three years on board a man of war. *Ibid.*

A printed copy of this act shall be put up on some conspicuous part of every *British* trading vessel; on penalty of 1*s.* per day. *Ibid.*

Mates or seamen who shall refuse to pay the penalties may be committed for three months. *Ibid.*

By 22 *Geo.* 3. *c.* 25. vessels captured by an enemy shall not be ransomed. All contracts made, and securities given for the same shall be void; and persons ransoming or contracting to ransom any ship or goods, shall forfeit 500*l.*

By 25 *Geo.* 3. *c.* 44. no policy of insurance on ships or goods shall be made, without inserting therein the names of the persons interested, or of their agents; and all policies made contrary hereto shall be void.

By 26 *Geo.* 3. *c.* 60. no ship built out of his majesty's dominions, except prizes, shall be intitled to the privileges of a *British* ship; but foreign ships built before May 1, 1786, are not hereby to be deprived of the privileges they now enjoy.

No ship rebuilt, or where repairs exceed 15*s.* per ton, in a foreign port, shall be deemed *British* built, unless such repairs are necessary from extraordinary damages sustained on voyages: and the expences of repairs shall be certified, on arrival, to an officer of the customs. *Ibid.*

The provisions of 7 & 8 *Will.* 3. *c.* 22. (*Plantations.*) shall be extended to vessels of fifteen tons, and upwards, and certificates of registry obtained; and no registry shall be made but at the port to which a vessel belongs, except for prizes condemned at *Guernsey*, *Jersey*, or *Man*, unless authorized by the commissioners of customs. *Ibid.*

The port from and to which a ship usually trades shall be deemed her port. No registry shall be required for any vessels belonging to the royal family; and no ship built in the united states of *America*, during the existence of any prohibitory acts, shall be intitled to be registered. *Ibid.*

No subject residing out of his majesty's dominions shall be intitled to be the owner of any ship authorized to be registered, except a member of a factory. *Ibid.*

The oath by *Will.* 3. required, is repealed, and another appointed to be taken before registry. *Ibid.*

Ships shall be examined before certificates are granted; and persons giving false descriptions, or making false registries of ships, forfeit 100*l.* *Ibid.*

Bond shall be given not to lend certificates, and to return them in case the ship is lost, or sold to a foreigner; and *Mediterranean* passes are to be delivered up with the certificates. *Ibid.*

Indorsements on certificates of registry shall specify the name and residence of the person to whom the property is transferred. Certificates shall be recited in all transfers of property, and the changes of masters of vessels shall be indorsed on certificates of registry.

No change shall be made in ships names, which, and their ports, must be painted conspicuously on the vessels, and altering or defacing letters is a penalty of 100*l.* *Ibid.*

Persons applying for certificates in *Great Britain*, shall produce a particular account of the ships from the builders, and make oath to their identity. *Ibid.*

If certificates be lost, new ones shall be granted, according to 15 *Geo. 2. c. 31.* (*see* 493.) but security shall be given, on receiving fresh certificates, and oath made as hereinbefore directed. *Ibid.*

Ships, if altered, must be registered anew, or be deemed foreign. The condemnation of prizes, and the particulars of the vessels, must be produced, to entitle to a certificate of registry; and prizes condemned in *Guernsey*, *Jersey*, or *Man*, must be registered at *Southampton*. *Ibid.*

The sum on oath, for which a prize sold in the colonies, shall be subjoined to the certificate; and the certificate shall express in what part the ship was built. *Ibid.*

Ships already registered shall exchange their certificates for new ones, and others, now required to be registered, shall apply for certificates within a certain time after notice, to be given by the commissioners of customs, viz. In *Great Britain*, *Guernsey*, *Jersey*, or *Man*, within twelve months; in *Africa* or *America*, within eighteen months; and in *Asia* within thirty months after notice; but certificates may be granted, where, from unavoidable necessity, application could not be made in time limited. *Ibid.*

Ships leaving port without certificates shall be forfeited. If ships be found without the port to which they belong without certificates, bond must be given that they shall be procured; and if square rigged vessels, cannot enter the ports to which they belong, certificates may be obtained upon their being surveyed at the port where they touch. *Ibid.*

Certificates shall be numbered, and an account of them transmitted to the commissioners of customs by the officer, on penalty of 200*l.* and dismission. *Ibid.*

Certificates of registry shall be produced at every port, on penalty of 100*l.* *Ibid.*

Copies of certificates granted in *Scotland* shall be annually sent to the customhouse in *England*; and there shall be paid on the first registry of ships built prior to *May 1, 1786*, in lieu of stamp duties, the following sums, viz. For a ship of fifteen tons, and not more



than fifty, 1s. 6d.—above fifty, and not more than one hundred tons, 2s. 6d.—above one hundred, and not more than two hundred tons, 3s. 6d.—and all above two hundred tons, 5s. But the stamp duties shall continue to be paid on transfers of property. *Ibid.*

The privy council may order ships to be registered, to whom they have been granted or promised in consideration of their services, though not otherwise entitled thereto; and suits commenced in the colonies touching registers granted, such ships may be stopped till his majesty's pleasure be known. *Ibid.*

Any persons, by virtue of their office, required to act under this act, neglecting their duty, forfeit 500*l.* for the first offence, and for the second are incapacitated, and forfeit a like sum. *Ibid.*

Swearing falsely is perjury; and falsifying, or using false certificates, is a penalty of 500*l.* *Ibid.*

Ships of *Ireland* lawfully qualified and registered there, shall enjoy the privileges of *British* built ships. *Ibid.*

By 26 *Geo.* 3. c. 86. owners of ships shall not be liable for any loss of goods shipped without their privity, further than the value of the vessel and the freight; nor for any occasional loss by fire; nor for loss of plate or jewels, unless at the time of shipping, declaration be made of the value.

If the produce of the ship be insufficient to answer losses, it is to be proportionably divided among the losers; and freighters and owners of vessels may exhibit bills in equity for discovery of the amount of losses and value of vessels. *Ibid.*

This act is not to lessen the remedy against masters and mariners for embezzlement. *Ibid.*

By 27 *Geo.* 3. c. 19. vessels registered in *Ireland*, according to an act of the parliament of that kingdom, of the present session, shall enjoy all the privileges of vessels owned by his majesty's subjects.

Vessels registered there according to law, previous to the said act, shall continue to enjoy the like privileges during the times appointed by the commissioners of revenue in *Ireland*; but at the expiration of such time they must be registered agreeable to the said act. *Ibid.*

If any such vessel shall be prevented from returning to the port to which she belongs in due time, and shall touch at a port in *Great Britain*, or the islands of *Guernsey Jersey*, or *Man*, the commissioners of customs may permit her to clear out, and return to her proper port in *Ireland*. *Ibid.*

No oath taken to acquire a temporary right as a citizen during residence in a foreign state, shall be deemed an oath of allegiance to such state. *Ibid.*

Instead of the oath required by 26 *Geo.* 3. c. 60. the oath herein specified declaring to whom the vessel belongs, may be taken by the person properly authorised by the *East India* company, or any other company or body corporate having ships. *Ibid.*

The commissioners of the customs, or the governors, or commanders in chief of the islands, may permit the bond required on obtaining a certificate of the registry of a vessel, to be executed wherever they think proper. *Ibid.*

When.

Whenever the master of a vessel is changed, fresh security shall be given. *Ibid.*

Vessels not exceeding thirty tons burthen, and not having a fixed deck, may be employed in the fishery at *Newfoundland* without being registered. *Ibid.*

Vessels built at *Newfoundland*, *Quebec*, *Nova Scotia*, and *New Brunswick*, for *European* owners, may be registered there, upon the ships agents taking the requisite oath. But such ships, on their arrival in *Europe*, must be registered agreeable to 26 *Geo.* 3. c. 60. *Ibid.*

The act recites 12 *Car.* 2. c. 18. and directs, that from *July* 1, 1787, the goods therein enumerated of the growth or produce of *Europe*, may be imported into *Great Britain*, under the conditions of that act, and 13 & 14 *Car.* 2. c. 11. and 6 *Geo.* 1. c. 15. in ships which, before *May* 1, 1786, belonged to his majesty's dominions. *Ibid.*

Goods of *Morocco* imported into *Gibraltar* may be imported from thence in ships built in his majesty's dominions, or ships belonging thereto prior to *May* 1, 1786, on payment of the same duties, as if imported from *Africa*; but such goods must be accompanied with a certificate that they were imported into *Gibraltar* in such vessels as are required by this act. *Ibid.*

All vessels which, by 26 *Geo.* 3. c. 60. are declared not to be intitled to the privileges of a *British* built ship, shall be deemed alien ships. *Ibid.*

## Simony.

By 1 *Will. & Mar.* stat. 1. c. 16. the offence of simony shall not prejudice any other patron innocent thereof, on pretence of lapse to the crown, after the death of the simoniac, unless he was convicted, or his patron in his life-time.

Lease made by a simoniac for valuable consideration, *bona fide*, shall not be avoided thereby. *Ibid.*

## Skins.

By 9 *Geo.* 3. c. 39. and 21 *Geo.* 3. c. 29. skins and raw hides may be imported from *Ireland* and *America* duty free.

By 15 *Geo.* 3. c. 31. and 26 *Geo.* 3. c. 53. seal skins caught by *British* subjects may be imported duty free.

Raw goat skins may be imported duty free. *The same acts.*

## Soldiers.

By 18 *Hen.* 6. c. 18. a captain shall not abate of his soldiers wages which he hath received.

By 2 & 3 Ed. 6. c. 2. a soldier making away his horse or harness shall be imprisoned 'till satisfaction made, and his executors shall be liable.

By 43 Eliz. c. 3. every parish shall be taxed with a weekly sum towards the relief of disabled soldiers or mariners prest into the service, so as the taxation do not exceed 6*d.* for every parish, which may be levied by distress.

The soldier or mariner disabled shall repair for relief to the treasurer of the county from whence he was prest, who shall make out a certificate, and grant him relief. *Ibid.*

The treasurers of counties may grant them certificates, and order them relief from place to place, as they pass to the county where they are to be relieved. *Ibid.*

By 31 Car. 2. c. 1. soldiers shall not be quartered on the subject without consent. *But see the military acts as they pass annually.*

By 12 Ann. Stat. 1. c. 13. officers and soldiers, who have been in the service, and have not deserted, may exercise any trade for which they are apt, any where, saving the rights of the universities.

The executors of commanding officers shall pay the soldiers in preference to others. *Ibid.*

By 1 Geo. 1. c. 47. seducing soldiers to desert is a penalty of 40*l.* and if the offender hath no goods whereon the penalty can be levied, he is to be imprisoned six months, and stand on the pillory; and papists inlisting shall be punished by court martial.

By 24 Geo. 3. c. 6. officers, mariners, soldiers, and mariners, who have been employed in the king's service since April 1, 1763, and have not deserted; and also the wives and children of such are authorized to exercise trades in any part of Great Britain, and shall not be liable to be removed from thence to their last legal place of settlement, until they become actually chargeable to the parish; and if sued, may plead the general issue, and have double costs.

Where any two justices, where they shall set up, shall summon them to give evidence as to their settlement, they shall make oath accordingly; an attested copy whereof shall be given them, which shall be evidence at the quarter sessions; and if summoned again, they shall not be obliged to take a fresh oath, but produce the former, or leave a copy thereof. *Ibid.*

This act extends to militia men and fencibles who have served three years, and been honourably discharged. *Ibid.*

The privileges of the two universities are reserved.

The land forces; and the marine forces during their continuance on shore, are regulated by two temporary acts, which pass annually for that purpose, the one intituled, *An act for punishing mutiny and desertion; and for the better payment of the army and their quarters*; and the other *An act for the regulation of his majesty's marine forces while on shore.*



## South-Sea Company.

By 9 *Ann. c. 21.* for paying the debts of the navy, ordnance, transport, and other debts, amounting to above 9,000,000*l.* duties upon wines, vinegar, tobacco, *East India* goods and whale fins, were granted to the crown for ever, and THE SOUTH SEA COMPANY erected.

The company to receive interest at 6*l. per cent.* to be incorporated, and purchase lands not exceeding 1000*l. per ann.* over and above the interest; 8000*l.* a year to be paid out of the funds towards the management of the company. *Ibid.*

Guardians and trustees may subscribe for infants, executors, administrators, and mortgagees; members of the company may be members of parliament, and are not liable to statutes of bankrupt. *Ibid.*

The corporation to have the sole trade from the river *Oroonoco* on the east side of *America*, to the southermost part of *Terra del fuego* and from thence through the *South-sea*, and have all islands which they discover; others trading to the *South-seas* shall forfeit ship and goods, and double value, and the crown may direct 20*s.* of every 160*l.* capital stock, to be applied in the fishery. *Ibid.*

By 10 *Ann. c. 19.* persons entitled to capital stock in the *South-sea* company may by warrant from the treasury, borrow money upon the credit of the stock, and allow interest not exceeding 6*l. per cent.*

Parliament on a year's notice may redeem the funds, on payment of the principal money, and arrears, but the corporation shall continue for ever. *Ibid. c. 30.*

By 1 *Geo. 1. c. 21.* their capital was increased to the sum of 10,000,000*l.*

By 3 *Geo. 1. c. 9.* the 6*l. per cent.* fund was redeemed, and a fund settled on the company, after the rate of 5*l. per cent.* The capital stock was declared to be 10,000,000*l.* and an annuity of 500,000*l.* was settled on the company for the same: this company to advance further 2,000,000*l.* and may borrow money upon contracts, make calls and take in subscriptions. The duties by 9 *Ann.* and on coals, houses, and salt, are charged with the above annuity.

By 5 *Geo. 1. c. 19.* lottery annuities, were subscribed into the *South-sea* stock.

By 6 *Geo. 1. c. 4.* the parliament, to lessen the public debts, amounting to sixteen millions, grant duties of excise on soap and paper, to secure the *South-sea* company certain payments: Directors to prepare books of accounts, and the company may redeem debts, by taking in subscriptions for stock. The company to lend the government 4,156,306*l.* and raise the money by making calls, subscriptions, or granting annuities, as they think fit. After *Midsummer* 1727, upon payment of the money borrowed, the funds granted shall cease.

Counterfeiting

Counterfeiting receipts and warrants of the officers of the *South-sea* company is felony without clergy. *Ibid.* c. 11.

By 7 *Geo.* 1. c. 5. on repayment of any sum not less than 500,000*l.* at a time, a proportionable part of the annuities shall cease.

The company were enabled to ingraft part of their capital stock into that of the bank, and of the *East India* company. *Ibid.* stat. 2. c. 1.

By 8 *Geo.* 1. c. 21. the *South-sea* company may sell and dispose of any part of their stock, not exceeding 200,000*l.* *per ann.* by way of lottery.

The whole capital stock of the *South-sea* company, computed to amount to about thirty-four millions, shall be divided into two parts; one moiety converted into annuities at 4*l.* *per cent.* in lieu of all dividends; and the other moiety to remain in the said company as a joint stock, till redeemed by parliament. The company to receive at the exchequer 845,062*l.* *per ann.* as the annuity to attend the moiety turned into *South-sea* annuities; which may be assigned. 9 *Geo.* 1. c. 6.

By 1 *Geo.* 2. c. 8. 250,000*l.* capital stock, and 250,000*l.* joint stock of *South-sea* annuities were paid off.

By 3 *Geo.* 2. c. 21. quarterly deficiencies of the *South-sea* company's annuity shall be made good out of the aggregate fund.

By 4 *Geo.* 2. c. 5. 5 *Geo.* 2. c. 17. and 6 *Geo.* 2. c. 25. three millions of the debt due to the *South-sea* company, were redeemed.

By 6 *Geo.* 2. c. 28. the stock of the *South-sea* company, amounting to about fifteen millions, shall be divided into four equal parts; three whereof shall be converted into a new joint stock of *South-sea* annuities, and the remaining fourth part, shall continue a trading stock in the company, with proportional shares in the funds.

No person is qualified to be governor, unless he has 5000*l.* trading stock, a sub-governor 4000*l.* deputy governor 3000*l.* and a director 2000*l.* *Ibid.*

A person having in his own right 500*l.* stock shall have one vote, having 2000*l.* two votes; and no bonds shall be issued or paid off, but by order of a general court; nor calls made of money, without resolution of the proprietors. *Ibid.*

Old bonds shall be registered, and no new ones issued but with consent of a general court. *Ibid.* and 7 *Geo.* 2. c. 17.

By 9 *Geo.* 2. c. 34. one million of new *South-sea* annuities was redeemed.

By 10 *Geo.* 2. c. 17. one million of old *South-sea* annuities were redeemed.

The 20 *Geo.* 2. c. 3. made the duties on houses and windows a fund for the annuity to the *South-sea* company.

By 24 *Geo.* 2. c. 2. they shall continue a company till redemption of the annuities.

The interest upon the capital stock was reduced to 3*l.* *per cent.* c. 11.

Embezzlements by any officer or servant of the company, felony without benefit of clergy. *Ibid.*

By

By 25 Geo. 2. c. 27. the first and second subscribed old *South-sea* annuities shall be consolidated; and likewise the new *South-sea* annuities.

By 26 Geo. 2. c. 16. the directors shall be reduced to 21 only.

By 1 Geo. 3. c. 5. his majesty was enabled to be governor of the *South-sea* company.

By 27 Geo. 3. c. 13. the *South Sea* annuities are payable out of the consolidated fund. (See 267.)

## Spices.

By 6 & 7 Will. 3. c. 7. spices may be imported in ships whereof the master, and two thirds of the mariners are *Englishmen*, giving notice to, and having license from the commissioners of the customs.

By 10 Ann. c. 26. dirt, stones, or trash, found amongst pepper or coffee shall be destroyed.

By 6 Geo. 1. c. 21. the license for importing nutmegs, cinnamon, cloves, and mace shall express the quantity, and place of importation; and cinnamon shall be packed in bales of seventy pound, and nutmegs, cloves, or mace in casks weighing 300 pound.

License for importing spice shall be delivered up to the collector at the time of entering the ship. *Ibid.* and 8 Geo. 1. c. 18.

Spices found on board in bags or small parcels packed in hogshheads, shall be deemed imported without license, and forfeited. *Ibid.*

## Stamps.

### GENERAL CLAUSES RELATIVE TO THE MANAGEMENT AND COLLECTION OF THE DUTIES.

The officers are to be sworn 5 Will. 3. c. 21. 9 & 10 Will. 3. c. 25. 8 Ann. c. 9. 9 Ann. c. 23. 10 Ann. c. 19. 12 Ann. stat. 2. c. 9. 2 Geo. 1. c. 33.

And are to account annually between 28 June and 29 September 5 Will. 3. c. 21.

The commissioners appointed by the crown, are to levy the duties granted by the several statutes, are to obey the orders of the treasury, and keep their head office in *London* or *Westminster*.

Judges shall make orders at the request of the commissioners for the better securing the duties 5 Will. 3. c. 21. 9 & 10 Will. 3. c. 25.

By the same acts inspectors in courts and offices, and other inferior officers shall be appointed by the commissioners; and by 9 Ann. c. 23. persons hindering such inspectors from inspecting books which may discover frauds forfeit 5*l.* and costs.

Officers stamping instruments before the duty is paid, is a penalty of 100*l.* 5 Will. 3. c. 21.



The several acts direct the salaries of the officers to be paid out of the duties.

Acts of parliament, proclamations, forms of prayer, acts of state, matters printed by either house of parliament, school-books, books of piety, daily bills of goods exported and imported, and bills of mortality, are exempted from the duties on pamphlets. 10 *Ann.* c. 19.

*South-sea* securities, 3 *Geo.* 1. c. 9. 5 *Geo.* 1. c. 19. 6 *Geo.* 1. c. 4. and stannary proceeding, 6 *Will.* 3. c. 12. and 9 & 10 *Will.* 3. c. 25. are exempt from stamp duties.

Suits of paupers, and probate of wills of seamen and soldiers are excepted from duties. 5 *Will.* 3. c. 21.

The commissioners are to provide stamps, and may alter the same from time to time by proclamation, which is to be judicially taken notice of by the judges. 5 *Will.* 3. c. 21. and in general all other acts.

Vellum and paper shall be marked, and on the alteration of the stamp, the parties that have vellum or paper marked with the old stamp, are to be supplied with vellum and paper stamped with a new stamp, without fee. 5 *Will.* 3. c. 21. 9 & 10 *Will.* 3. c. 25. 9 *Ann.* c. 23. 10 *Ann.* c. 19. 12 *Ann.* stat. 2. c. 9. 12 *Geo.* 1. c. 33.

Instruments written on paper not duly stamped, shall be of no avail in law, till stamped, and the penalty and duties paid: *the same acts.*

Which penalty is by 5 *Will.* 3. c. 21. 5*l.* and by 9 & 10 *Will.* 3. c. 25. 9 *Ann.* c. 23. 10 *Ann.* c. 19. 12 *Ann.* stat. 2. c. 9. 12 *Geo.* 1. c. 33. and 30 *Geo.* 2. c. 19. 10*l.* with costs.

Instruments and writings charged with stamp duties shall be writ as usual. 5 *Will.* 3. c. 21. 9 & 10 *Will.* 3. c. 25.

Several matters charged severally by 12 *Ann.* written on one piece of paper, shall be charged severally. 12 *Ann.* stat. 2. c. 9.

Persons writing a new instrument on stamp paper, whereon a former was before written, or tearing off a mark from one writing with an intent to use it on another, forfeit 20*l.* with costs. 1 *Ann.* stat. 2. c. 22.

Persons not putting some part of the writing charged with stamp duties either on, or as near the stamps as may be, forfeit 10*l.* with costs. *Ibid.*

Officers neglecting to enter or file actions, complaints, bails, appearances, admissions or other proceedings, forfeit 20*l.* with costs. *Ibid.*

Selling unstamped cards or dice, or using them in a gaming-house, is a penalty of 5*l.* 10 *Ann.* c. 19.

Defacing the stamp on cards, and new-spotting dice is a penalty of 10*l.* and costs. 6 *Geo.* 1. c. 21.

Not making out ale licenses duly stamped is likewise a penalty of 10*l.* *Ibid.*

Penalties in the stamp acts shall relate to subsequent duties. *Ibid.*

The day of suing out the writ shall be indorsed on the warrant. *Ibid.*

Card and dice makers are to give notice of the place where they make the same, and when they enter any parcel of cards or dice, they are to give bond with sureties, in treble the duties, to pay the same in six weeks; and the commissioners on suspecting cards or dice to be made in unentered places, may authorize persons to break such places open, and to seize the materials. *Ibid.*

Hawkers of unstamped newspapers are to be sent to the house of correction. 16 Geo. 2. c. 26.

The penalties are disposed of, half to the crown, and half to the informer. But may be mitigated half by justices of peace. 1 Ann. stat. 2. c. 22. 9 Ann. c. 23. and 10 Ann. c. 19.

Proceedings before justices are not to be superceded by *certiorari*. 10 Ann. c. 19.

A proviso in favour of those that write things without stamp on a book or roll *licensed* by the commissioners. 1 Ann. stat. 2. c. 22.

The stamp duties shall not extend to licenses by commissioners of excise. 29 Geo. 2. c. 12.

By 5 Geo. 3. c. 35. every deed, note and letter between the captain, master, or owner, and the merchant shall be deemed a charter-party.

By 5 Geo. 3. c. 46. officers neglecting or refusing for one month to make the entry of admissions to corporations, forfeit 10*l.*

The allowance of 6*l. per cent.* on prompt payment of stamp duties reduced to 4*l. per cent.* *Ibid.*

Stewards of copyhold courts are to demand the stamp duty with their own fees, or to forfeit 10*l.* *Ibid.*

No stamps are to be delivered out for pamphlets or newspapers till security is given for the duty on advertisements. *Ibid.*

Card-makers are to send paper to the stamp-office, to have the aces of spades marked, one of which is to be put in each pack; and they are to send wrappers to inclose such cards which are to be stamped with one of the 6*d.* duties. *Ibid.*

Separate accounts are to be kept with each card-maker of the cards made, which are to be settled once a month. *Ibid.*

Maker making up any ace of spades, or wrapper, used before, forfeits 20*l.* and so does the seller or buyer thereof; but either party informing, shall be admitted to give evidence. *Ibid.*

Fraudulently relanding cards shipped for exportation is a penalty of 50*l.* *Ibid.*

Where the freedom of any city or company is obtained by servitude, the chamberlain or other officer, is to enter the names of all persons bound or articed, with the names and abode of the masters, the apprentice fees, and date of the indentures; on forfeiture of 20*l.* and the notice printed under all indentures, is to be printed, on forfeiture of 10*l.* *Ibid.*

Alehouse-keepers are to shew their licenses, and clerks of the peace their books and papers tending to secure stamp duties, on forfeiture, the former 40*s.* and the latter 5*l.* *Ibid.*

Instead of the pecuniary and corporal punishments inflicted by former acts, on retailers of beer, not being duly licensed, they are

to forfeit, for the first offence 40*s.* and costs of conviction; and on non-payment are to be committed for one month; for the second offence 4*l.* and costs, or two months imprisonment; for the third offence 6*l.* and costs, or three months imprisonment; and the like penalty and punishment as the third, for every subsequent offence; to be determined by the justices summarily; with appeal to the sessions. *Ibid.*

Public officers having in their custody any books or papers, which may tend to secure the stamp duties or discover any frauds therein, are to permit the officer authorized, to inspect, and take notes gratis; on penalty of 50*l.* *Ibid.*

The 7 *Geo.* 3. c. 44. reduced the allowance of 6*l.* per cent. for prompt payment of the duty on ale licenses to 4*l.* per cent. from August 1. 1767.

By 12 *Geo.* 3. c. 48. writing all or part of any writ, mandate, bond, affidavit or other writing, on vellum, parchment or paper, whereon any other writing subject to the stamp duty, had been inserted before, or erasing, or scraping out such, or causing the same to be done, or taking off the stamps, marks, or outside paper of playing cards, with intent to use the same again, is felony and transportation for seven years, and breaking prison or returning before the expiration of the time, is death; and the discoverer of others, on conviction of the offender, shall be pardoned.

The 13 *Geo.* 3. c. 65. extends the stamp duties on newspapers by 11 *Geo.* 1. c. 8. and 30 *Geo.* 2. c. 19. to every sheet of such papers, whether a greater or less number of sheets or half sheets.

By 19 *Geo.* 3. c. 66. attornies are to charge as usual for ingrossing deeds, and not by the sheet, and double or treble skins; but this is not to extend to deeds less than two skins.

By 23 *Geo.* 3. c. 58. labels for insurances to be made by the royal exchange, or *London* assurances from fire, are not subject to the 6*s.* duty on agreements.

And agreements may be stamped within twenty-one days after execution. *Ibid.*

By 26 *Geo.* 3. c. 82. where penalties are not directed to be applied, they are to be applied as herein directed; viz. one moiety of the penalties shall be to the informer prosecuting within six months, and the other to his majesty; but no part of the penalties shall belong to informers not prosecuting in that time.

The king's share of the penalties shall be paid to the receiver-general of stamps, who is to pay the same into the exchequer by August 1, annually, to be applied as former penalties. *Ibid.*

Justices shall cause convictions to be made out, which are to be filed by the clerk of the peace, and are not removable by *certiorari*, but subject to appeal to the quarter sessions. *Ibid.*

In prosecutions where offenders may be deemed guilty of felony, it shall be sufficient to prove the evidence acted under the commissioners, without producing his deputation. *Ibid.*

By all the stamp acts, stamps spoiled and not paid for by the person using them, shall be changed, and counterfeiting stamps is felony without benefit of clergy,



By 27 Geo. 3. c. 13. the commissioners of stamps may provide one stamp to denote the several duties, and may consolidate the same into one sum, collect accordingly, and keep one account of those duties.

From May 10. 1787, all stamp duties shall be paid to the receiver-general thereof, who is to keep one account, and pay the money into the exchequer weekly. *Ibid.*

Commissioners and officers for stamps shall observe the orders of the treasury; and shall be subject to penalties for breach of trust as heretofore. *Ibid.*

All powers of former acts, except hereby altered, shall continue in force; and persons counterfeiting, or forging counterfeited stamps, or fraudulently using stamps, are guilty of felony without benefit of clergy. *Ibid.*

## THE VARIOUS INSTRUMENTS CHARGED WITH THE STAMP DUTIES.

### Action.

Action entered in an inferior court that holds plea of 40 s. but issues no writ, process or mandate, pays by 5 & 6 Will. & Mar. c. 21. 6 d. By 9 & 10 Will. 3. c. 25. 6 d. By 12 Geo. 1. c. 33. 6 d. By 32 Geo. 2. c. 35. 6 d. and by 23 Geo. 3. c. 58. 6 d.—THE WHOLE two shillings and sixpence.

### Adjudication.

Adjudication in Scotland by 10 Ann. c. 19. 2 s. 3 d. By 17 Geo. 3. c. 50. 1 s. 6 d. and by 23 Geo. 3. c. 58. 1 s.—IN THE WHOLE four shillings and nine-pence.

### Admiralty Sentence.

Attachment, and relaxation thereof by 5 & 6 Will. & Mar. c. 21. 5 s. By 9 & 10 Will. 3. c. 25. 5 s.—IN THE WHOLE ten shillings.

Admiralty warrant, monition, or personal decree. By 5 & 6 Will. & Mar. c. 21. 2 s. 6 d.—By 9 & 10 Will. 3. c. 25. 2 s. 6 d.—IN THE WHOLE five shillings.

Admiralty libel, allegation, deposition, answer, sentence, or final decree, or any copies of them. By 5 & 6 Will. & Mar. c. 21. 6 d. By 9 & 10 Will. 3. c. 25. 6 d. more—by 12 Geo. 1. c. 33. 6 d. more: and by 23 Geo. 3. c. 58. 1 s. more.—IN THE WHOLE two shillings and six-pence.

### Admission.

Admission into a corporation or company, by 5 Geo. 3. c. 46. 2 s. and by 23 Geo. 3. c. 58. 2 s. more.—IN THE WHOLE four shillings.

Admission

Admission into any inn of chancery, by 5 *W. 3. c. 21. 1s.*—and by 9 & 10 *W. 3. c. 25. 1s. more.*—IN THE WHOLE *two shillings.*

Into any of the four inns of court, by 5 *W. 3. c. 21. 1s.*—by 9 & 10 *W. 3. c. 25. 1s.*—by 2 *Geo. 3. c. 36. 40s.*—more—by 5 *Geo. 3. c. 47. 4l. more.*—and by 23 *Geo. 3. c. 58. 40s. more.*—IN THE WHOLE *eight pounds and two shillings.*

To a fellowship of the college of physicians, attorney, clerk, advocate, proctor, notary, or other officer of any court whatsoever in *England*, except annual offices under 10*l.* per ann. by 5 *W. 3. c. 21. 40s.*—by 9 & 10 *W. 3. c. 25. 40s. more.*—by 12 *Ann. stat. 2. c. 9. 40s. more.*—and by 23 *Geo. 3. c. 58. 40s. more.*—IN THE WHOLE *eight pounds.*

#### *Advertisement.*

Advertisement in weekly papers pays, by 10 *Ann. c. 19. 1s.*—by 30 *Geo. 2. c. 19. 1s. more.*—and by 20 *Geo. 3. c. 28. 6d. more.*—IN THE WHOLE *two shillings and six pence.*

The printer not paying the duty in thirty days forfeits treble the sum, 10 *Ann. c. 19.*

Advertisement in periodical pamphlets, published at a greater interval than a week, pays, by 30 *Geo. 2. c. 19. 2s.*—and by 20 *Geo. 3. c. 28. 6d. more.*—IN THE WHOLE *two shillings and six pence.*

#### *Affidavits.*

Affidavit, and copies thereof, pay, by 5 *W. 3. c. 21. 6d.*—by 9 & 10 *W. 3. c. 25. 6d. more.*—and by 32 *Geo. 2. c. 35. 6d. more.*—IN THE WHOLE *one shilling and six pence.*

Affidavit of plaintiff's cause of action pays as other affidavits, 12 *Geo. 1. c. 29.*

The said acts contain exemptions in favour of affidavits concerning burying in woollen; and those taken before custom house officers, or justices of the peace, or commissioners for raising the king's duties, and the 10 *Ann. c. 19.* and 12 *Ann. stat. 2. c. 9.* contain exemptions likewise as to those made for allowances of duties on soap used in the woollen manufacture.

#### *Agreements.*

Agreements, (except where the matter of agreement shall not exceed 20*l.* and also except those for lease at rack rent of messuages under 5*l.* those for hire of labourers, artificers, manufacturers, or menial servants, and those relating to sale of goods,) pay, by 23 *Geo. 3. c. 58. six shillings.*

#### *Allegation.*

Allegation in the spiritual or admiralty court, and copy thereof pay by 5 *W. 3. c. 21. 6d.*—by 9 & 10 *W. 3. c. 21. 6d. more.*—  
by

by 19 Geo. 3. c. 66. 6*d.* more—and by 23 Geo. 3. c. 58. 1*s.* more.  
—IN THE WHOLE, *two shillings and sixpence.*

## Ale and Beer.

By 9 Ann. c. 23. there shall be paid for every license for retailing beer and ale 1*s.*—by 29 Geo. 2. c. 12. 1*l.*—and by 24 Geo. 3. c. 30. 10*s.* 6*d.*—IN THE WHOLE, *one pound eleven shillings and sixpence.*

## Almanacks.

Almanack for one year printed on one side of paper, by 9 Ann. c. 23. 1*d.*—by 30 Geo. 2. c. 19. an additional 1*d.*—and by 21 Geo. 3. c. 56. an additional 2*d.*—Making, IN THE WHOLE, *four pence.*

Other almanacks for one year, by 9 Ann. c. 23. 2*d.*—and by 30 Geo. 2. c. 19. an additional 2*d.*—IN THE WHOLE, *four pence.*

Those for more years pay for three years 9 Ann. c. 23. and the additional duties by 30 Geo. 2. c. 19. and 21 Geo. 3. c. 56. for every year.

But perpetual almanacks are to pay only for three years, 21 Geo. 3. c. 19.

Out of the duties by this act there shall be paid to each university 500*l.* per ann. half yearly, at *Midsummer* and *Christmas*, and the surplus shall be paid into the exchequer to go to the sinking fund. *Ibid.*

Selling unstamped almanacks incurs the same penalty as for selling unstamped newspapers. 16 Geo. 2. c. 26.

Almanacks in bibles and common prayer books are exempted, 9 Ann. c. 25.

## Answer.

Answer in court of equity pays by 5 W. 3. c. 21. 1*s.*—by 9 & 10 W. 3. c. 25. 1*s.* more—and by 23 Geo. 3. c. 58. 6*d.* more.—IN THE WHOLE, *two shillings and six pence.*

Copy thereof, by 5 W. 3. c. 21. 1*d.*—by 9 & 10 W. 3. c. 25. 1*d.* more—and by 32 Geo. 2. c. 35. 1*d.* more.—IN THE WHOLE, *three pence.*

## Appeal.

Appeal from admiralty, arches, or prerogative court of *Canterbury* or *York*, by 5 W. 3. c. 21. 40*s.*—by 9 & 10 W. 3. c. 25. 40*s.* more—and by 12 Ann. stat. 2. c. 9. 40*s.* more.—IN THE WHOLE, *six pounds.*

## Appearance.

Appearance on special bail pays, by 5 W. 3. c. 21. 1*s.*—and by 9 & 10 W. 3. c. 25. 1*s.* more.—IN THE WHOLE, *two shillings.*

On common bail, or without bail, by 5 W. 3. c. 21. and 9 & 10 W. 3. c. 25. 6*d.*—by 4 Ann. c. 12. 6*d.* more—and by 32 Geo. 2. c. 35. 6*d.* more.—IN THE WHOLE, *one shilling and six pence.*

Not entering or filing an appearance, within the time limited, is a penalty of 5*l.*



*Apprentices.*

Apprentices indentures and articles of clerkship, by 5 *W.* 3. c. 21. 6*d.*—by 9 & 10 *W.* 3. c. 25. 6*d.* more—by 12 *Ann.* c. 9. 6*d.* more—by 30 *Geo.* 2. c. 19. 1*s.* more—by 16 *Geo.* 3. c. 34. 1*s.* more—by 17 *Geo.* 3. c. 50. 1*s.* 6*d.* more—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, *six shillings.*

Parish indentures are excepted, and pay *six pence* only, by 5 *W.* 3. c. 21.

For fees given with apprentices, clerks, or servants, bound or articulated by indentures, from 1*l.* to 50*l.* masters pay for every pound *six pence*; and for fees above 50*l.* *one shilling* in the pound. 8 *Ann.* c. 9.

*Apprisings.*

Apprisings, charter, resignation, clare constat, cognition of heirs, heretable right, confirmation, novodamus, principal and original instrument of surrender, retour, saisin, and service, in *Scotland*, pay, by 10 *Ann.* c. 19. 2*s.* 3*d.*—by 17 *Geo.* 3. c. 50. 1*s.* 6*d.*—and by 23 *Geo.* 3. c. 58. 1*s.*—IN THE WHOLE, *four shillings and nine pence.*

*Attornies.*

Letter of attorney pays, by 5 *W.* 3. c. 21. 6*d.*—by 9 & 10 *W.* 3. c. 25. 6*d.* more—by 12 *Ann.* stat. 2. c. 9. 6*d.* more—by 30 *Geo.* 2. c. 19. 1*s.* more—by 16 *Geo.* 3. c. 34. 1*s.* more—by 17 *Geo.* 3. c. 50. 1*s.* 6*d.* more—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, *six shillings.*

By 25 *Geo.* 3. c. 80. the following duties are to be paid by every solicitor, attorney, notary, proctor, agent, or procurator, viz. for every warrant to prosecute for a debt of 40*s.* or to defend, a stamp duty of *two shillings and six pence.*

And they are to take out certificates annually, and if resident in *London*, *Westminster*, the bills of mortality, or *Edinburgh*, they are to pay *five pounds* for the same; and in every other part of *Great Britain*, *three pounds.* *Ibid.*

The duties are under the management of the commissioners of stamps, and every acting solicitor, and other person as above, shall annually deliver in a note of his name and residence, to the proper officer of the court in which he practises; the entering officers are to certify notes delivered, and issue annual certificates, stamped as above, which must be renewed ten days before the expiration. *Ibid.*

Refusing to issue, or improperly issuing certificates, is a penalty of 50*l.* and damages to the party aggrieved. *Ibid.*

Persons residing forty days in a year, within the limits of the higher duties, are to pay the same. *Ibid.*

Acting without a certificate, or giving in a false place of residence, is a penalty of 50*l.* and incapacity to sue for fees due. *Ibid.*

Persons having taken out certificates may act for others who have also taken them out, and a person under one certificate may act in any other court in which he is sworn. *Ibid.*

The six clerks, filazers and curfitors, are to qualify themselves for acting in the same manner as attornies; and clerks of courts acting without inrollment and certificates, are liable to the penalties; but officers or clerks in courts chargeable with the land-tax, are exempted from duties, if they act only officially. *Ibid.*

A stamped memorandum shall be given to the proper officer, of the names of the parties, in every action; and in such cases as used to require precipes. *Ibid.*

Officers who receive stamped memorandums, are to file the same, on penalty of 5*l.* and persons not acting conformable to this act forfeit 5*l.* *Ibid.*

Actions are to proceed though the memorandums should not have been entered or filed; and the practice of the courts, with regard to entering of record, shall not be altered, unless the judges think fit. *Ibid.*

A stamped memorandum of the warrant of attorney shall be delivered previous to entering up judgment by default, or confession, on penalty of 5*l.* *Ibid.*

None of the duties shall be charged to clients: but persons not immediately employed by the parties, may charge the duties to the attornies for whom they act. *Ibid.*

Common appearance, or bail, may be filed without entering a memorandum, but after appearance, or bail, a memorandum must be entered before any further proceedings are had, on penalty of 5*l.* *Ibid.*

If a defendant is added after commencement of an action, a new memorandum is not necessary. *Ibid.*

Memorandums shall be delivered on putting in bail to the judge's clerk, who is to receive 2*d.* in the pound on the duties; and judges clerks neglecting to deliver memorandums, or defacing the stamps thereon, forfeit 50*l.* *Ibid.*

This act does not extend to any suit for less than 40*s.* or to suits in the king's name, except where private persons are interested; and six pence in the pound on the duties, for recording memorandums, shall be paid to the clerks. *Ibid.*

## Award.

By 23 Geo. 3. c. 58. awards are charged with a duty of six shillings.

## Bail.

Bail bonds and assignments thereof pay, by 5 W. 3. c. 21. 6*d.*—and by 9 & 10 W. 3. c. 25. 6*d.* more.—IN THE WHOLE, one shilling.

Bail bond may be assigned, but not sued before it is stamped. 4 Ann. c. 16.

## Bills of Exchange and Promissory Notes.

By 23 Geo. 3. c. 49. bills of exchange, promissory or other notes, drafts, or orders under 50*l.* shall pay a stamp duty of sixpence; of 50*l.* or upwards, one shilling.

Drafts and orders, for payment of money on demand, upon bankers living within ten miles of the drawer, are exempted; and the act does not extend to bills of exchange in *Scotland*, not exceeding 21*s*. *Ibid.*

Bills of exchange, and promissory notes, under 10*l*. payable on demand, shall pay only *three pence*. *Ibid.*

No foreign bill is chargeable with more than 6*d*. each copy, and bills and notes issued by the bank, are exempted, in consideration of their paying 12,000*l*. per ann. *Ibid.*

These duties shall be paid by the drawer or giver, and the paper must be stamped before written on. *Ibid.*

By 24 *Geo. 3. c. 7.* no person shall write or sign any bill of exchange or promissory note, liable to the above duties, except on stamp paper, on penalty of 5*l*.

Drafts on bankers, not payable to the bearer, shall be liable to the same duties as bills of exchange; but notes under 40*s*. are not liable to any duty. *Ibid.*

No bill of exchange or note, shall be stamped after written or signed, unless upon payment of 10*l*. and a magistrate may determine offences within a year. *Ibid.*

#### *Bills of lading.*

Bills of lading pay, by 9 *Ann. c. 23. 4d.*—by 19 *Geo. 3. c. 66. 4d.* more—and by 23 *Geo. 3. c. 58. 4d.* more.—IN THE WHOLE, one shilling.

#### *Births, Marriages, and Burials.*

By 23 *Geo. 3. c. 67.* the following stamp duties shall be paid, viz. upon the entry of every burial, marriage, birth, or christening, *three pence*.

Parsons who shall enter the same on unstamped paper, shall forfeit 5*l*. and they are empowered to demand the 3*d*. from the undertaker, or the persons married, or the parents; and if they refuse to pay the same, they shall forfeit 5*l*. *Ibid.*

The parish officers shall provide books, with proper stamps, for making the above entries; but they may be made without any stamps, by license from three commissioners, on allowing inspection of the books when required, and paying the amount of the duties. *Ibid.*

This is not to extend to burials from any hospital or workhouse, or to births where the parents receive parish relief; but it shall extend to quakers, and by 25 *Geo. 3. c. 75.* to all protestant dissenters.

Parsons are, by the first act, to be allowed 2*s*. in the pound for their trouble.

#### *Bonds.*

Bonds (except such as are given as security for money) charter party, contract, deed, or deed poll, indenture, obligatory instrument, letter of attorney, lease, procuration, and release, pay, by 5*W. 3.*



# Stamps.

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5 *Will.* 3. c. 21. 6*d.*—by 9 & 10 *Will.* 3. c. 25. 6*d.* more—by 12 *Ann.* stat. 2. c. 9. 6*d.* more—by 30 *Geo.* 2. c. 29. 1*s.* more—by 16 *Geo.* 3. c. 34. 1*s.* more—by 17 *Geo.* 3. c. 50. 1*s.* 6*d.* more—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, *six shillings.*

Bonds given as security for payment of money, if not above 100*l.* shall pay 5*s.* 23 *Geo.* 3. c. 58.

If above 100*l.* and under 1000*l.* 10*s.* to *Ibid.*

For 500*l.* or upwards, 15*s.* to *Ibid.*

Briefs. Brief for collecting charity, pays, by 5 *Will.* 3. c. 21. 40*s.*—and by 23 *Geo.* 3. c. 58. 40*s.* more.—IN THE WHOLE, *four pounds.*

## Cards.

Cards pay, per pack, by 9 *Ann.* c. 23. 6*d.*—by 29 *Geo.* 2. c. 13. 6*d.* more—and by 16 *Geo.* 3. c. 34. 6*d.* more.—IN THE WHOLE, *one shilling and sixpence.*

## Certificates.

Certificate or license of marriage (except of seamens widows) pays by 5 *Will.* 3. c. 21. *five shillings.*

Certificate or debenture for drawbacks pay by 9 *Ann.* c. 23. 8*d.*—by 19 *Geo.* 3. c. 66. 8*d.* more—and by 23 *Geo.* 3. c. 58. 8*d.* more.—IN THE WHOLE, *two shillings.*

Certificates concerning soap used in the woollen manufacture are exempted. 10 *Ann.* c. 19. and 12 *Ann.* stat. 2. c. 9.

## Citation.

Citation in ecclesiastical courts pays, by 5 *Will.* 3. c. 21. 6*d.*—by 9 & 10 *Will.* 3. c. 25. 6*d.* more—by 12 *Geo.* 1. c. 33. 6*d.* more—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, *two shillings and sixpence.*

Copy thereof by 5 *Will.* 3. c. 21. 6*d.*—by 9 & 10 *Will.* 3. c. 25. 6*d.* more;—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, *two shillings.*

## Commissions.

Commission ecclesiastical not otherwise charged, pays by 5 & 6 *Will.* 3. c. 21. 2*s.* 6*d.*—and by 9 & 10 *Will.* 3. c. 25. 2*s.* 6*d.* more.—IN THE WHOLE, *five shillings.*

Commissions of rebellion are not to pay as letters patent; 6 & 7 *W.* 3. c. 12. and 12 *Ann.* Stat. 2. c. 9.

## Copies.

Copy of a record, or other proceeding at *Westminster*, pays by 5 *Will.* 3. c. 21. 6*d.*—by 9 & 10 *Will.* 3. c. 25. 6*d.* more—and

by 32 Geo. 2. c. 35. 6d. more.—IN THE WHOLE, *one shilling and six pence.*

Copy of a will by 5 Will. 3. c. 21. 1d.—by 9 & 10 Will. 3. c. 25. 1d. more—and by 19 Geo. 3. c. 66. 1d. more.—IN THE WHOLE, *three pence.*

*Copyhold.*

Copyhold surrenders, or copies, are neither within 5 Will. 3. nor 9 & 10 Will. 3.—but such surrenders, copies, and admittances (except to the use of a will, or to a custom right, or tenant right, estate, and except the court roll or book) pay by 10 Ann. c. 19. 2s. 3d.—by 17 Geo. 3. c. 50. 2s. 3d. more—and by 23 Geo. 3. c. 58. 2s. 6d. more.—IN THE WHOLE, *seven shillings.*

#### Counties Palatine.

County palatine, and dutchy of Lancaster, letters patent, or exemplification of the same, pay by 5 Will. 3. c. 21. 40s.—by 9 & 10 Will. 3. c. 25. 40s. more—by 12 Ann. c. 9. 40s. more—and by 23 Geo. 3. c. 58. 40s. more.—IN THE WHOLE, *eight pounds.*

Grants of profits under the seal of the said dutchy or county, pay by 5 Will. 3. c. 21. 40s.—by 9 & 10 Will. 3. c. 25. 40s. more—and by 23 Geo. 3. c. 58. 40s. more.—IN THE WHOLE, *six pounds.*

Process from the counties palatine pays by 5 Will. 3. c. 21. 6d.—by 9 & 10 Will. 3. c. 25. 6d. more—by 12 Geo. 1. c. 33. 6d. more—by 32 Geo. 2. c. 35. 6d. more—and by 23 Geo. 3. c. 58. 6d. more.—IN THE WHOLE, *two shillings and six pence.*

#### Declaration.

Declaration and copy in superior courts pay by 5 Will. 3. c. 21. 1d.—by 9 & 10 Will. 3. c. 25. 1d. more—and by 32 Geo. 2. c. 35. 1d. more.—IN THE WHOLE, *three pence.*

In inferior courts, by 5 Will. 3. c. 21. 1d.—and by 9 & 10 Will. 3. c. 25. 1d. more.—IN THE WHOLE, *two pence.*

#### Decree.

Decree or dismissal of a court of equity, by 5 Will. 3. c. 21. 6d.—and by 9 & 10 Will. 3. c. 25. 6d. more.—IN THE WHOLE, *one shilling.*

#### Deeds.

Conveyances, surrenders of grants or offices, release or other deed enrolled in any court of record, or by any *custos rotulorum* or clerk of the peace, pay by 5 Will. 3. c. 21. 5s.—by 17 Geo. 3. c. 50. 2s. 6d. more—and by 23 Geo. 3. c. 58. 2s. 6d. more.—IN THE WHOLE, *ten shillings.*

Indentures, leases or deeds not otherwise charged pay 6d.—by 5 Will. 3. c. 21. and (unless they are made for binding parish children

dren apprentices) 6 *d.* more—by 9 & 10 *Will.* 3. *c.* 25. and all deeds in *Great Britain*, not otherwise charged (except bail bonds and assignments thereof, and apprentices indentures of poor or charity children, and deeds in *Scotland* charged with the duty of 2 *s.* 3 *d.*) pay 6 *d.* more by 12 *Ann. stat.* 2. *c.* 9.—1 *s.* more by 30 *Geo.* 2. *c.* 19.—1 *s.* more by 16 *Geo.* 3. *c.* 34.—1 *s.* 6 *d.* more by 17 *Geo.* 3. *c.* 50. and 1 *s.* more by 23 *Geo.* 3. *c.* 58.—IN THE WHOLE, *six shillings.*

And if engrossed without being stamped, not to be evidence without payment of the further sum of 5 *l.* by 5 *Will.* 3. *c.* 21.—and 10 *l.* by 9 & 10 *Will.* 3. *c.* 25.

## Degrees.

Degree in the university (except a bachelor of arts), by 5 *Will.* 3. *c.* 21. *two pounds.*

Degree in the inns of court, by the same act 40 *s.*—by 2 *Geo.* 3. *c.* 46. 40 *s.* more—by 5 *Geo.* 3. *c.* 47. 6 *l.* more—and by 23 *Geo.* 3. *c.* 58. 5 *l.* more.—IN THE WHOLE, *fourteen pounds.*

## Demurrer.

Demurrer in *law*, and copies thereof, pay 1 *d.* by 5 *Will.* 3. *c.* 21.—1 *d.* more by 9 & 10 *Will.* 3. *c.* 25.—and one penny more by 32 *Geo.* 2. *c.* 35.—IN the whole *three pence.*

Like duties are by the same acts imposed on copies of demurrers in *equity.*

## Dice.

Dice per pair pay 5 *s.* by 9 *Ann.* *c.* 23.—5 *s.* more by 29 *Geo.* 2. *c.* 13.—and 2 *s.* 6 *d.* more by 16 *Geo.* 3. *c.* 34.—IN THE WHOLE, *twelve shillings and sixpence.*

## Dispensation.

Dispensation from the archbishop, or master of the faculties, pays 40 *s.* by 5 *Will.* 3. *c.* 21.—40 *s.* more by 9 & 10 *Will.* 3. *c.* 25.—40 *s.* more by 12 *Ann. stat.* 2. *c.* 9.—40 *s.* more by 19 *Geo.* 3. *c.* 66.—and 40 *s.* more by 23 *Geo.* 3. *c.* 58. IN THE WHOLE, *ten pounds.*

## Equity.

Bills, answers, replications, rejoinders, demurrers, interrogatories, depositions taken by commissions, and other proceedings in courts of equity, pay by 5 *Will.* 3. *c.* 21. 1 *s.*—by 9 & 10 *Will.* 3. *c.* 25. 1 *s.* more—and by 23 *Geo.* 3. *c.* 58. 6 *d.* more.—IN THE WHOLE, *two shillings and sixpence.*

Copy thereof by 5 *Will.* 3. *c.* 21. 1 *d.*—by 9 & 10 *Will.* 3. *c.* 25. 1 *d.* more—and by 32 *Geo.* 2. *c.* 35. 1 *d.* more.—IN THE WHOLE, *three pence.*



*Exemplification.*

Exemplification under the seal of any court pays 5*s.* by 5 *Will. 3. c. 21.*—5*s.* more by 9 & 10 *Will. 3. c. 25.*—5*s.* more by 19 *Geo. 3. c. 65.*—and 5*s.* more by 23 *Geo. 3. c. 58.*—IN THE WHOLE, one pound.

*Game.*

By 25 *Geo. 3. c. 50.* no person shall destroy game until he has delivered an account of his name and place of abode to the clerk of the peace, and taken out a certificate thereof; for which he shall pay annually a stamp duty of 2*l.*

Deputations of game keepers shall be registered with the clerk of the peace; a certificate whereof shall be taken out annually, charged with a 10*d.* 6*d.* stamp. *Ibid.*

Every person who shall deliver as aforesaid an account of his name and place of abode; and every game keeper who shall register his deputation shall be annually intitled to a certificate thereon from the clerk of the peace, who is to sign and deliver the same, on pain of 20*l.* *Ibid.*

Certificates are to bear date the day they are issued, and be in force until July 1 ensuing, and issuing certificates contrary hereto is a penalty of 20*l.* *Ibid.*

Persons shooting at, or killing any game, without a certificate, shall forfeit 20*l.* and gamekeepers neglecting to register their deputations, and to take out certificates, incur a like penalty. *Ibid.*

This is not to extend to the royal family. *Ibid.*

Clerks of the peace are to transmit annually to the stamp office correct lists of certificates granted by them, on penalty of 20*l.* which lists are to be kept at the office, and may be inspected, and are also to be inserted in the newspapers. *Ibid.*

If a new game keeper is appointed, the former certificate shall be void; and any person in pursuit of game who shall refuse to produce his certificate when required by any person authorized, or to tell his name and place of abode, shall forfeit 50*l.* *Ibid.*

Certificates are not to authorize any person to kill game at any time prohibited by law. *Ibid.*

Certificates obtained under deputations shall not be given in evidence for killing game out of the manor. *Ibid.*

The penalties may be recovered in the superior courts; and if they do not exceed 20*l.* any justice may determine the complaint allowing an appeal to the quarter sessions; and if witnesses do not attend on summons, they forfeit 10*l.* *Ibid.*

The justice may mitigate the penalties half, and no offender against this act shall be imprisoned more than three months. *Ibid.*

*Gloves.*

By 25 *Geo. 3. c. 55.* the following duties shall be paid by venders of gloves, viz. For an annual license, 1*s.*

For

For every pair of gloves or mittens retailed from 4*d.* to 10*d.* one penny.

From 10*d.* to 1*s.* 4*d.* two pence; and above 1*s.* 4*d.* three pence. These duties are to be under the commissioners of stamps; and persons selling gloves or mittens without a license from them, are to forfeit 20*l.* *Ibid.*

Licenses are to be renewed annually; and all persons vending gloves, shall have *dealer in gloves* placed on the front of their shops, on pain of 5*l.* for every pair sold, and affixing such words, without being licensed, is a penalty of 40*l.* *Ibid.*

Persons selling a less quantity than twelve dozen pair of gloves shall be deemed retailers of gloves, and shall apply to the commissioners of stamps for tickets to be affixed to gloves; and selling or exchanging any gloves without a proper stamp, is a penalty of 20*l.* *Ibid.*

But this is not to extend to one licensed dealer selling to another. *Ibid.*

Taking off any stamp, or affixing the same to any other gloves with a fraudulent intent, or buying or selling any such used tickets, is a penalty of 20*l.* and the buyer or seller informing against the other shall be indemnified. *Ibid.*

Glovers in their bills shall make a separate charge for the stamps. Counterfeiting the stamps is felony *without* clergy. *Ib.d.*

The penalties, if sued for within six months, go half to the crown, and half to the informer; and if not sued for within that time, they go to the crown. and may be recovered in the superior courts, or before a justice of peace, from whose determination appeal lies to the sessions. *Ibid.*

## Grants.

Grants by the king under the great seal, or the seal of the dutchy or county palatine of *Lancaster*, of any honour, dignity, promotion, franchise, or privilege, and exemplifications thereof, pay 40*s.* by 5 *Will.* 3. c. 21.—40*s.* more by 9 & 10 *Will.* 3. c. 25.—40*s.* more by 12 *Ann. stat.* 2. c. 9.—and by 23 *Geo.* 3. c. 58. 40*s.* more.—IN THE WHOLE, eight pounds.

Grant of any sum exceeding 100*l.* under the great or privy seal, not directed to the great seal, 40*s.* by 5 *Will.* 3. c. 21.—40*s.* more by 9 & 10 *Will.* 3. c. 25.—and 40*s.* more by 12 *Ann. Stat.* 2. c. 9.—IN THE WHOLE, six pounds.

And grant of office or employment above 50*l.* per ann. 40*s.* by 5 *Will.* 3. c. 21.—40*s.* more by 9 & 10 *Will.* 3. c. 25.—and 40*s.* more by 12 *Ann. stat.* 2. c. 9.—IN THE WHOLE, six pounds.

Grant under the great, exchequer, dutchy, county palatine, or privy seal, of lands in fee, or for years, or other grants of profits not particularly charged, 40*s.* by 5 *W.* 3. c. 21.—and 40*s.* more by 9 & 10 *Will.* 3. c. 25.—IN THE WHOLE, four pounds.

## Hats.

By 24 *Geo.* 3. c. 51, all retailers of felt or beaver hats, in *Great Britain*, shall take out a license annually; for which there shall be paid, within the bills of mortality or borough of *Southwark*, forty shillings.

And

And in cities or market towns without the bills, and in other parts of the kingdom, *five shillings*.

And there shall be paid for every felt or beaver hat not exceeding 4*s.* in value, a stamp duty of *three pence*.

From 4*s.* to 7*s.* a duty of *six pence*.

From 7*s.* to 12*s.* a duty of *one shilling*.

And above 12*s.* a duty of *two shillings*.

The duties to be under the management of the commissioners of stamps. No person shall sell any hat herein mentioned without a license, on penalty of 50*l.* Every licensed retailer shall have the words *Dealer in Hats by Retail* over the door, or in front of his house, on penalty of 40*s.* for each hat sold; and unlicensed persons putting up those words shall forfeit 50*l.* and those who sell a less quantity than twelve hats at a time shall be deemed retailers. *Ibid.*

Stamped paper tickets shall be affixed to the lining of the crown of hats; and persons selling any hat liable to the duties without a proper stamp, shall forfeit 10*l.* but this does not extend to one licensed retailer selling to another. *Ibid.*

Persons fraudulently tearing off, or affixing any stamp already used in any hat, shall forfeit 20*l.* No person shall sell, or buy any ticket already used, on the like penalty; and either buyer or seller may inform, and be indemnified. *Ibid.*

Retailers delivering in bills for hats liable to the duties, shall make a separate charge for the stamps; and counterfeiting the stamps, is felony *without clergy*.

Hats, two dozen in one package, may be exported without having the stamped ticket affixed thereto. *Ibid.*

### Horses.

By 24 Geo. 3. c. 31. there shall be paid for every horse entered to run for a plate, 2*l.* 2*s.* and for a winning horse double that sum.

Every licensed horse dealer within the bills of mortality or borough of *Southwark*, shall pay 10*l.* *per ann.* and every such dealer without the said limits, 5*l.* *Ibid.*

The duties shall be under the management of the commissioners of stamps, who are to grant licenses to horse dealers, which are to be renewed annually. *Ibid.*

*Licensed to deal in horses* shall be wrote or painted on the front of the house or stables of every horse dealer, on penalty of 5*l.* *Ibid.*

Two guineas shall be paid to the clerk of the course previous to the entering any horse to run for a plate, on penalty of 20*l.* and the clerk of the course neglecting to account with the distributor of the stamps, shall forfeit double the amount of the monies, and 100*l.* But the clerk of the course is to have for his trouble an allowance of 1*s.* in the pound. *Ibid.*

### Institution.

Institution pays 5*s.* by 5 Will. 3. c. 21.—5*s.* more by 9 & 10 Will. 3. c. 25.—and 5*s.* more by 12 Ann. Stat. 2. c. 9.—IN THE WHOLE, *fifteen shillings*.

*Insurances.*



## Insurances.

By 22 Geo. 3. c. 48. a yearly duty of *one shilling and sixpence* shall be paid for every 100 l. insured from loss by fire.

Public hospitals are not liable. *Ibid.*

No person shall keep an insurance office without a license, the corporations of the royal exchange, and London insurance excepted. *Ibid.*

The duty shall be under the commissioners of stamps, who are to grant annual licenses; and keeping an office without a license, or in any manner contrary to this act, is a penalty of 50 l. per day, and double the premiums. *Ibid.*

Persons taking out licenses are to give bond to his majesty, conditioned to account for, and pay over the duty received. *Ibid.*

Office-keepers, on granting a policy of insurance, are to receive the duty payable to his majesty, and shall give a receipt for the same. Persons to be insured shall pay the duty annually, or lose the benefit of their policy. *Ibid.*

Policies for less than a year shall pay proportionably; as also those for a year or years, and part of a year; and so when new policies are taken out before the expiration of the old ones. *Ibid.*

When the insurance money, on taking out a policy, is paid for several years, the insurer may receive the duty for the same term; and when the property of the insured shall cease before the expiration of his policy, the overplus money shall be returned. *Ibid.*

A true account shall be kept at such insurance office of the policies granted, and to whom; an allowance of 1 s. in the pound shall be made to the office keepers for receiving the duty, and making out the account; and receiving such duties shall not disqualify from voting for members of parliament. *Ibid.*

By 26 Geo. 3. c. 82. the above duty on insurances of foreign property from fire, shall cease.

## Inventories.

Inventory and copies exhibited in ecclesiastical, admiralty, or cinque port courts, pay 6 d. by 5 Will. 3. c. 21.—6 d. more by 9 & 10 Will. 3. c. 25.—6 d. more by 19 Geo. 3. c. 66.—and 1 s. more, by 23 Geo. 3. c. 58.—IN THE WHOLE, *two shillings and sixpence.*

Inventory, or catalogue of furniture, with reference to any agreement, by 23 Geo. 3. c. 58. *two shilling and sixpence.*

## Judgment.

Judgment signed in any court at Westminster, pays 2 s. 6 d. by 5 Will. 3. c. 21.—and 2 s. 6 d. more by 9 & 10 Will. 3. c. 25.—IN THE WHOLE, *five shillings.*

*Latitas.*

*Latitat.*

Latitat pays 6 *d.* by 5 & 6 *Will.* 3. c. 21.—6 *d.* more by 9 & 10 *Will.* 3. c. 25.—6 *d.* more by 12 *Geo.* 1. c. 33.—6 *d.* more by 12 *Geo.* 2. c. 35.—and 6 *d.* more by 23 *Geo.* 3. c. 58.—IN THE WHOLE, two shillings and sixpence.

*Letters of Mart.*

Letters of mart pay 5 *s.* by 5 *Will.* 3. c. 21.—5 *s.* more by 9 & 10 *Will.* 3. c. 25.—and 5 *s.* more by 12 *Ann. stat.* 2. c. 9.—IN THE WHOLE, fifteen shillings.

*Libel.*

Libel and copy thereof pay 6 *d.* by 5 *Will.* 3. c. 21.—6 *d.* more by 9 & 10 *Will.* 3. c. 25.—6 *d.* more by 19 *Geo.* 3. c. 66.—and 1 *s.* more by 23 *Geo.* 3. c. 58.—IN THE WHOLE, two shillings and sixpence.

*Licenses.*

License by an ecclesiastical court or ordinary, pays 5 *s.* by 5 *Will.* 3. c. 21.—5 *s.* more by 9 & 10 *Will.* 3. c. 25.—and 5 *s.* more by 12 *Ann. stat.* 2. c. 9.—IN THE WHOLE, fifteen shillings.

By the presbytery in Scotland, except to tutors and schoolmasters, five shillings, by 12 *Ann. stat.* 2. c. 9.

License for retailing wine pays, where there is an ale and spirit license, by 9 *Ann.* c. 23. 4 *s.*—and by 30 *Geo.* 2. c. 4. 40 *s.* more.—IN THE WHOLE, two pounds and four shillings.

Where there is only an ale license, by 9 *Ann.* c. 23. 4 *s.*—by 30 *Geo.* 2. c. 4. 4 *l.* more.—IN THE WHOLE, four pounds and four shillings.

Where the party has no other license, by 9 *Ann.* c. 23. 4 *s.*—and by 30 *Geo.* 2. c. 4. 5 *l.* more.—IN THE WHOLE, five pounds and four shillings.

The license to retail brandy and spirits is to be taken out at the excise office, for which two pounds and six shillings are payable.

Taking recognizances of sellers of ale, without first causing stamp licenses to be made out, is a penalty of 10 *l.* 6 *Geo.* 1. c. 21.

Licenses for keeping alehouses on the military roads in Scotland exempted. 29 *Geo.* 2. c. 12.

Licenses to keep mad houses pay, by 14 *Geo.* 3. c. 49. five shillings each.

Licenses to keep lying-in hospitals pay, by 13 *Geo.* 3. c. 82. five shillings each.

Licenses to keep lottery offices pay, by 22 *Geo.* 3. c. 47. fifty pounds each.

*Matriculation.*

Matriculation pays 1 *s.* by 5 *Will.* 3. c. 21.—1 *s.* more by 9 & 10 *Will.* 3. c. 25.—and 2 *s.* more by 23 *Geo.* 3. c. 58.—IN THE WHOLE, four shillings.

*Medicines.*

## Medicines.

By 25 Geo. 3. c. 79. there shall be paid for every packet, box, bottle, phial, or inclosure of medicines, not exceeding 1*s.* in value, *three halfpence.*

For every such packet, or the like, from 1*s.* to 2*s.* 6*d.* in value, *sixpence.*

Of 5*s.* value, or upwards, *one shilling.*

These duties are not to extend to articles mentioned in the book of rates, nor to unmixed drugs sold by a regular surgeon, apothecary, chymist, or druggist, nor to mixtures prepared by them, so that they do not claim the secret of, or exclusive right to, the preparing the same, nor sell the same under letters patent, or advertise them as nostrums. *Ibid.*

Persons vending preparations liable to the duties, shall take out an annual license, chargeable with a stamp duty of *twenty shillings*, if resident in *London, Westminster, Southwark, or Edinburgh*, and elsewhere, chargeable with *five shillings.* *Ibid.*

The commissioners of stamps are to grant licenses for one year which must be renewed ten days before the expiration of the old one. *Ibid.*

Every person selling medicines liable to duties without a license, forfeits 5*l.* and persons vending the same, shall send labels to be stamped, which are to be affixed to the medicines, and sold therewith, on penalty of 5*l.* *Ibid.*

Persons selling medicines with the same label a second time, forfeit 10*l.* and persons selling or buying labels for the purpose of being used a second time, or buying or selling any packet with such a label, forfeit 10*l.* *Ibid.*

Either buyer or seller may inform against the other, and be indemnified. *Ibid.*

Ten pounds *per cent.* shall be allowed for prompt payment of the duties, and notice of the place of making or vending of medicines, with the prices, shall be sent to the stamp office, on penalty of 10*l.* *Ibid.*

This act shall extend to all articles mentioned in the schedule (*all known quack medicines*) and to others of the like quality; and where a secret art, or exclusive right is claimed, or the medicines are advertised as nostrums. *Ibid.*

## Monition.

Monition in the ecclesiastical court, pays 6*d.* by 5 Will. 3. c. 21. —6*d.* more by 9 & 10 Will. 3. c. 25. —6*d.* more by 12 Geo. 1. c. 33. —and 1*s.* more by 23 Geo. 3. c. 58. —IN THE WHOLE, *two shillings and sixpence.*

Copy thereof by 5 Will. 3. c. 21. 6*d.* —by 9 & 10 Will. 3. c. 25. 6*d.* more —and by 23 Geo. 3. c. 58. 1*s.* more. IN THE WHOLE, *two shillings.*



*Notarial Act.*

Notarial acts pay 6 *d.* by 5 *Will.* 3. c. 21.—6 *d.* more by 9 & 10 *Will.* 3. c. 25.—and 6 *d.* more by 23 *Geo.* 3. c. 58.—IN THE WHOLE, *two shillings.*

*Novodamus.*

Novodamus in Scotland pays, by 10 *Ann.* c. 19. 2 *s.* 3 *d.*—by 17 *Geo.* 3. c. 50. 1 *s.* 6 *d.*—and by 23 *Geo.* 3. c. 58. 1 *s.*—IN THE WHOLE, *four shillings and nine pence.*

*Pamphlets and News Papers.*

News papers of half a sheet, or less, pay, by 11 *Geo.* 1. c. 8.  $\frac{1}{2}$  *d.*—by 30 *Geo.* 2. c. 19.  $\frac{1}{2}$  *d.* more—and by 16 *Geo.* 3. c. 34.  $\frac{1}{2}$  *d.* more.—IN THE WHOLE, *three halfpence.*

Of one sheet, by 11 *Geo.* 1. c. 8. 1 *d.*—by 30 *Geo.* 2. c. 9. 1 *d.* more—and by 16 *Geo.* 3. c. 34.  $\frac{1}{2}$  *d.* more.—IN THE WHOLE, *two pence.*

And for every additional half sheet, one half penny more, Pamphlets of half a sheet, or less, pay, by 10 *Ann.* c. 19. and 11 *Geo.* 1. c. 8. one halfpenny, and not exceeding one sheet, one penny.

Larger than one sheet, and not exceeding six in octavo, or twelve in quarto, or twenty in folio, pay *two shillings* for every sheet in one printed copy. 10 *Ann.* c. 19.

Such papers are to be stamped before they are printed, on penalty of 10 *l.* and costs; and printed copies of pamphlets are to be brought to the office, and entered, on penalty of 20 *l.* and the printer's name shall be put to pamphlets, under the like penalty. 10 *Ann.* c. 19.

Pamphlets and news papers unfold, may be cancelled, and the like number of sheets stamped, duty free, shall be exchanged for them. *Ibid.*

Any person may take up hawkers of unstamped news papers; any justice may commit them to the house of correction; reward of 20 *s.* for every hawker convicted. 16 *Geo.* 2. c. 26.

*Pardon.*

Pardons of crime, forfeiture, reprieve, or relaxation from fine, corporal punishment, or other forfeiture, pay 40 *s.* by 5 *Will.* 3. c. 21. and all but circuit or *Newgate* pardons, and every such relaxation pay the further sum of 40 *s.* by 9 & 10 *Will.* 3. c. 25. and if the relaxation be of a fine above 100 *l.*—40 *s.* more, by 12 *Ann.* stat. 2. c. 9.—IN THE WHOLE, *six pounds.*

General circuit or *Newgate* pardon, by 5 *Will.* 3. c. 25. 40 *s.*—by 12 *Ann.* stat. 2. c. 9. 40 *s.* more.—IN THE WHOLE, *four pounds.*

*Passport.*

Passport pays, by 5 *Will.* 3. c. 21. 6 *d.*—by 9 & 10 *Will.* 3. c. 25. 6 *d.* more—and by 12 *Ann.* stat. 2. c. 9. 6 *d.* more.—IN THE WHOLE, *one shilling and sixpence.*

## Pawnbrokers.

By 25 Geo. 3. c. 48. every pawnbroker residing in *London* or *Westminster*, *Southwark*, or the bills of mortality, shall annually take a license from the commissioners of stamps, charged with a duty of 10*l.* and in any other part of *Great Britain* 5*l.*

Pawnbrokers acting as such without a proper license, forfeit 50*l.* and persons who take pledges to secure the payment of money lent, are to be deemed pawnbrokers; but if they lend money at or under 5*l. per cent.* they are not. *Ibid.*

None shall keep more than one shop by virtue of one license; and persons in partnership need take out only one license.

## Perfumery.

By 26 Geo. 3. c. 49. the following duties shall be paid upon every packet, box, bottle, phial, or inclosure, containing any powders, pastes, washes, balls, waters, sweet scents, odours, perfumes, or cosmeticks, dentifrice, rolls, cakes, or pieces for the hair, and also upon every packet of powder for the hair, above 2*s. per lb. viz.*

For every packet of such wares, not exceeding 8*d. one penny.*

Between 8*d.* and 1*s. three halfpence.*

Between 1*s.* and 2*s. 6 d. three pence.*

Between 2*s. 6 d.* and 5*s. six pence.*

Of 5*s.* value, or upwards, one shilling.

The duties shall be levied on every packet, according to the above rates. *Ibid.*

Every packet of hair powder under 2*s. per lb.* shall pay one penny per lb. *Ibid.*

Nothing herein is to extend to medicines liable to the duties imposed by 25 Geo. 3. c. 79. (this title, *Medicines*) nor to common soap unmixed with perfumes. *Ibid.*

Persons vending articles hereby taxed, shall pay annually one shilling, for a license, which is to be granted by the commissioners of stamps, and to be renewed annually, ten days before they expire. *Ibid.*

Persons selling articles liable to this duty, without a license, forfeit 5*l.* and venders shall have the words *licensed to deal in perfumery*, on the front of their houses, on pain of 5*l.* *Ibid.*

Unlicensed persons fixing such words on their houses, forfeit 20*l.* *Ibid.*

Venders shall send to the commissioners of stamps for labels to paste on packets, in such manner as the commissioners shall direct; and persons selling packets without a stamped wrapper, or with one of a wrong denomination, forfeit 5*l.* *Ibid.*

Hair powder not exceeding 2*s. per lb.* in value, and in quantity not under 224 lb. may be sold without a stamped cover by the maker; and persons selling such powder shall keep an account thereof for the inspection of the proper officers, on penalty of 20*l.* *Ibid.*

Persons

Persons selling wares with the same label a second time, forfeit 10*l.* and persons buying or selling labels to be used a second time, or selling or buying packets with such labels, forfeit 10*l.* *Ibid.*

Five pounds *per cent.* discount shall be allowed for prompt payment of the duties. *Ibid.*

Notice of the place of vending articles liable to the duty, shall be sent to the commissioners of stamps, on penalty of 5*l.* *Ibid.*

Proper officers may search shops, and where stamp covers are wanting, affix the same which must be paid for, on penalty of 5*l.* and obstructing officers in the execution of their duty, is a penalty of 20*l.* *Ibid.*

Damaged labels may be returned for others without additional expence. *Ibid.*

Persons selling articles subject to the duty in any place not specified by notice, forfeit 5*l.* Articles sold for exportation, are not subject to the duty, so that an account thereof be sent to the commissioners, to be filed, and certificates thereof shall be granted to the vendors, which shall be legal evidence. *Ibid.*

Persons convicted of offences against this act, forfeit their license, and the same is not to be renewed, but upon bond given to conform hereto, and not to offend again. *Ib.d.*

#### *Plate.*

Gold plate made in Great Britain pays, by 24 Geo. 3. c. 53. eight shillings per oz. and silver plate sixpence per oz.

#### *Pleadings.*

Pleadings in law pay 1*d.* by 5 Will. 3. c. 21.—1*d.* more by 9 & 10 Will. 3. c. 25.—and 1*d.* more by 32 Geo. 2. c. 35.—IN THE WHOLE, three pence.

#### *Policies.*

Policy of assurance pays, by 5 Will. 3. c. 21. 6*d.*—by 9 & 10 Will. 3. c. 25. 6*d.* more—by 10 Ann. c. 26. 2*s.* 4*d.* more—by 12 Ann. stat. 2. c. 9. 6*d.* more—by 5 Geo. 3. c. 35. 2*d.* more—by 23 Geo. 3. c. 58. 1*s.* more—and by 30 Geo. 3. c. 19. 1*s.* more.—IN THE WHOLE, six shillings.

If above 1000*l.* an additional 5*s.* by 17 Geo. 3. c. 50.—THE WHOLE, eleven shillings.

Policies are to be made out within three days after the assurance, on pain of 100*l.* 11 Geo. 1. c. 30.

If the property of more than one person is insured for above 100*l.* in one policy, it is void; and so if any additional assurance is not stamped; but any number may be insured by one policy with five stamps, at 5*s.* each. 5 Geo. 3. c. 35.

Any further risque for which a premium is given, shall be also stamped, or void; and proof of the value insured shall lie on the defendant. 8 Geo. 3. c. 25.

Any



Any person signing a policy of assurance before stamped, shall forfeit 10*l.* and each unstamped policy shall pay 5*l.* besides the stamp duty, otherwise it is not available, and cannot be given in evidence. 17 Geo. 3. c. 50.

## Postea.

Postea pays by 5 Will. 3. c. 21. 2*s.* 6*d.*—and by 9 & 10 Will. 3. c. 25. 2*s.* 6*d.* more.—IN THE WHOLE, five shillings.

Copy thereof by 5 Will. 3. c. 21. 6*d.*—by 9 & 10 Will. 3. c. 25. 6*d.* more—and by 32 Geo. 2. c. 35. 6*d.* more.—IN THE WHOLE, one shilling and sixpence.

## Post Horses.

By 25 Geo. 3. c. 51. every post-master or inn-keeper, who shall let horses to hire, for travelling post, shall pay for an annual license 5*s.*

Every person hiring horses to travel post, shall pay for each horse 1½*d.* per mile; or 1*s.* 9*d.* per day, where the distance shall not be ascertained. *Ibid.*

Every person keeping a diligence, post coach, or other four-wheeled carriage, for carrying only four inside passengers for hire, or any stage coach, shall pay annually 5*s.* for a license, and shall also pay 1*d.* for every mile such carriage shall travel. *Ibid.*

The above duties are to be under the management of the commissioners for stamps. *Ibid.*

Persons letting out horses to travel post, without a license, are to forfeit 10*l.* and no person shall keep more than one inn for letting horses, by virtue of one license, on pain of 20*l.* *Ibid.*

Licensed inn-keepers shall paint, *licensed to let post horses*, on the fronts of their houses, before they let horses to hire, on pain of 5*l.* *Ibid.*

Inn-keepers, who furnish carriages to travel post, shall affix their names, and their places of abode, on some conspicuous part thereof, on pain of 5*l.* *Ibid.*

Inn-keepers who furnish carriages to travel for a day, or less period of time, shall affix upon some conspicuous part thereof, a brass or tin plate, containing their names and places of abode, on pain of 5*l.* *Ibid.*

Commissioners of stamp duties are to deliver to every person taking out a license, printed or written papers, intitled, *stamp office weekly accounts*, and also certain tickets denoting the horses let to hire, on pain of damages and treble costs against the officers making default herein. *Ibid.*

Post-masters, on receiving their first license, shall give security for the re-delivery of tickets unaccounted for, which shall be valued at, and paid for, at the rate of 1*s.* 9*d.* per horse. *Ibid.*

Post-masters letting out horses to travel post, shall receive for the use of the king, of the persons hiring the same, 1½*d.* for every mile each horse is to travel, and shall deliver to them stamp office tickets properly filled up, on pain of 10*l.* *Ibid.*

Travellers shall deliver their tickets at the first turnpike they shall pass through, on pain of paying to the gate-keeper 1 s. 9 d. before they pass, for every horse used. *Ibid.*

No traveller shall pay for more miles than shall be expressed upon his ticket; and postmasters falsely filling up tickets, are to forfeit 10 l. *Ibid.*

Postmasters charging travellers a specific sum for the whole stage, and not *by the mile*, shall account for, and pay one fourth of their charge. *Ibid.*

Postmasters letting out horses to travel by the day, shall receive, for the use of his majesty, of the persons hiring them, 1  $\frac{1}{2}$  d. for every mile each horse is to travel, or 1 s. 9 d. for each horse, where the distance shall not be ascertained, and shall deliver to them stamp office tickets properly filled up, on pain of 10 l. *Ibid.*

The day tickets are to be delivered at the first turnpike, in return for which, the gate-keeper shall give an exchange ticket, which shall be shewn at every turnpike during that day; and travellers not delivering such day tickets, are to pay 1 s. 9 d. per horse, before they pass through the gate. *Ibid.*

Persons taking off the before-mentioned brass or tin plate, in order to evade the duty, are to forfeit 10 l. and drivers passing through any turnpike without such plate, forfeit 40 s. *Ibid.*

Tickets for less than two days shall specify the place to which the horses are hired to go, and the number of miles; on pain of 10 l. *Ibid.*

Certificates shall be delivered to travellers who shall hire horses for two days or more, marked *hired for two or more days*, and filled up with the date, and number of days, and the name of the person hiring them, with his abode; which certificate shall be delivered at the first turnpike, for which the gate-keeper shall give a check ticket; and if travellers neglect to take or deliver such certificates, they shall pay 1 s. 9 d. for each horse, which the gate-keeper may retain to his own use; and postmasters delivering false certificates are to forfeit 20 l. *Ibid.*

Horses hired for any less time than two days, shall be deemed to be hired for one day, and gate-keepers neglecting their duty are to forfeit 40 s. *Ibid.*

Postmasters shall keep exact accounts, and if resident in *London* or *Westminster*, shall on the first *Tuesday* or *Wednesday* in the month, or within five miles thereof, or in the bills of mortality, on the first *Thursday* or *Friday*, deliver such accounts at the stamp-office ending the preceding *Saturday*, and shall at the same time pay the money due thereon, on pain of 10 l. and double the money due. *Ibid.*

Postmasters in other parts of the kingdom shall deliver their accounts, and pay the money due thereon, in such manner, as is directed at the foot of their first license, under the like pain. *Ibid.*

Postmasters shall enter tickets in their weekly account on the day they were issued, on penalty of 40 s. and if they endeavour to defraud his majesty of the rates, they are to forfeit 50 l. *Ibid.*

The

The persons who shall take the hire for horses travelling post, shall be accountable for the duty; and no postmaster, at whose house any traveller shall change horses, shall let them any otherwise than by the mile or stage, on pain of 10*l.* *Ibid.*

Where innkeepers cannot furnish horses to travellers, they are to give them a fresh ticket properly filled up, and charge themselves with the duty. *Ibid.*

Toll-gate keepers shall be allowed 3*d.* in the pound for all tickets they shall deliver to the collectors, and they are to bring them to the head office, if within five miles thereof, and if not, then they are to deliver them to such persons as the commissioners appoint. *Ibid.*

Toll-gate keepers who shall not deliver up tickets on demand, forfeit 5*s.* and if they neglect to receive or to file any tickets as directed, the penalty is 5*l.* *Ibid.*

Gate-keepers fraudulently accepting less than they are authorized to demand, forfeit 20*s.* *Ibid.*

Commissioners of stamps may erect bars and gates across public roads, and appoint persons to receive tickets. *Ibid.*

This act is not to extend to horses used in hackney coaches. *Ibid.*

All horses hired by the mile, or stage, shall be deemed hired to travel post. *Ibid.*

On the death of any licensed postmaster, his executors shall not be liable to any penalty for letting horses to hire, provided they take out a license, within thirty days after his death. *Ibid.*

Postmasters are to swear to the truth of their accounts and swearing falsely are guilty of perjury, and refusing to take the oath they forfeit 20*l.* *Ibid.*

No person shall let out for hire any diligence or post-coach, without a license, on penalty of 10*l.* for each offence. *Ibid.*

Commissioners of stamps are to grant licenses, which are to be renewed ten days before the old one expires. *Ibid.*

Only one diligence shall be kept by virtue of one license, and all licensed persons shall pay 1*d.* for every mile their carriage shall travel; and shall declare, when they receive their license, to and from what place it is intended to be used, and how often. *Ibid.*

All carriages going to or from *London* or *Westminster* shall be licensed at the stamp office, and the commissioners may at their discretion make allowances to diligences making short stages near *London.* *Ibid.*

The name of the owner of every coach shall be painted on the outside of each door; on pain of 10*l.* and the duties arising from diligences shall be paid on the first *Monday* in every month, at the stamp-office, or to the receivers, on pain of 5*l.* *Ibid.*

The licensed proprietor of any diligence shall give seven days notice before he discontinues the same; and postmasters shall be allowed 3*d.* in the pound out of the monies to be accounted for, and paid by them. *Ibid.*

Forging any ticket, or uttering the same is a penalty of 50*l.* *Ibid.*



Penalties sued for within six months, go half to the crown and half to the informer, and if not sued for within that time, the whole go to the crown, and if they amount to 50*l.* they are recoverable in the superior courts; under that sum, before any magistrate, from whose decision an appeal lies to the quarter-sessions. *Ibid.*

Witnesses refusing to appear or to be examined are to forfeit 40*s.* and summonses of the proprietors left with the book-keepers shall be deemed good service. *Ibid.*

The magistrates may mitigate a moiety of the penalties *Ibid.*

By 27 *Geo.* 3. c. 26. from *August* 1, 1787, the treasury may let to farm the duties granted by the above act, and may fix separate districts for farming them. Three months notice shall be given in the gazette of the time and place of letting the duties.

No proposals for farming the duties shall be proceeded on, unless delivered three days previous to the day appointed. *Ibid.*

The treasury or commissioners of stamps may let the duties for three years, and the same shall be put up at the sum which the duties produced within the year ending *August* 1. 1786, the highest bidder shall be the farmer, and shall enter into a contract, and give bond with three sureties, to pay the money to the receiver general of the stamps at the head office, according to the contract, by eight equal payments in the year, *viz.* on 15th of *September*, 1st of *November*, 16th of *December*, 1st of *February*, 16th of *March*, 1st of *May*, 16th of *June*, and 1st of *August.* *Ibid.*

A clause shall be inserted in the contracts, that they shall be void on any resolution of the house of commons. *Ibid.*

If the duties of any district shall not be let at the time fixed by advertisement, a future day may be appointed for that purpose. *Ibid.*

Deputations shall be given to the persons contracting to farm the duties, appointing them collectors thereof. *Ibid.*

Persons farming the duties may vary the mode of keeping accounts under the above act, and mark the district which they farm on the tickets, and persons fraudulently forging their certificates forfeit 50*l.* *Ibid.*

The powers of the said act, not hereby altered, shall continue in the persons farming the duties. *Ibid.*

Bonds from innkeepers, postmasters, or farmers, shall be taken in the name of his majesty. Persons farming the duties shall have the same remedies for recovery thereof as for duties payable to his majesty; and the duties shall belong to the district from whence the tickets are issued. *Ibid.*

Postmasters, innkeepers, and licensed persons within five miles of the head office for stamps, or within the bills of mortality, shall deliver to the farmers of the duties the accounts required by the said act, and persons residing out of such limits, shall account at the times and places specified at the foot of the license, or of the last receipt; but shall not be compelled to travel further than the nearest market town. *Ibid.*

Farmers

Farmers of the duties may vote for members of parliament; but the duties shall not be farmed by any person licensed to let horses. *Ibid.*

## Presentation.

Presentation; collation, or donation to a benefice above the yearly value of 10*l.* in the king's books, pays 40*s.* by 5 *Will.* 3. c. 21.—40*s.* more by 9 & 10 *Will.* 3. c. 25.—and 40*s.* more by 19 *Geo.* 3. c. 66.—IN THE WHOLE, six pounds.

## Probate.

Probate of wills, or letters of administration (except from common seamen or soldiers) of any estate above 20*l.* and under 100*l.* pay 5*s.* by 5 *Will.* 3. c. 21.—and 5*s.* more by 9 & 10 *Will.* 3. c. 25.—IN THE WHOLE, ten shillings.

If the estate is of the value of 100*l.* and under 300*l.* by 19 *Geo.* 3. c. 66. an additional 20*s.*—and by 23 *Geo.* 3. c. 58. 20*s.* more.—IN THE WHOLE, two pounds and ten shillings.

If the estate is of the value of 300*l.* and under 600*l.* besides the two 5*s.* of *Will.* 3. by 19 *Geo.* 3. c. 66. 40*s.*—and an additional 40*s.* by 23 *Geo.* 3. c. 58.—IN THE WHOLE, four pounds and ten shillings.

If the estate is of the value of 600*l.* and under 1000*l.* by 23 *Geo.* 3. c. 58. an additional 3*l.*—IN THE WHOLE, five pounds and ten shillings.

And if the estate is of the value of 1000*l.* or more, by the same act an additional 4*l.*—IN THE WHOLE, six pounds and ten shillings.

## Procuration.

Procuration, by 5 *Will.* 3. c. 21. 6*d.*—by 9 & 10 *Will.* 3. c. 25. 6*d.* more—by 12 *Ann. stat.* 2. c. 9. 6*d.* more—by 30 *Geo.* 2. c. 19. 1*s.* more—by 16 *Geo.* 3. c. 34. 1*s.* more—by 17 *Geo.* 3. c. 50. 1*s.* 6*d.* more—and by 23 *Geo.* 3. c. 58. 1*s.* more.—IN THE WHOLE, six shillings.

## Receipts.

For money, by 23 *Geo.* 3. c. 49. the following stamp duties shall be paid, viz. receipts for 2*l.* and under 20*l.* shall pay two-pence each, for 20*l.* and upwards four pence each.

Receipts in or upon deeds or bonds, and letters of acknowledgement; and receipts given by seamen or soldiers for wages or pensions due from the navy or army are exempted, and it is not to extend to receipts on foreign bills of exchange. *Ibid.*

Persons fraudulently setting down a less sum than received, or dividing the whole into small sums, to evade the duty, shall forfeit 20*l.* *Ibid.*

Receipts in full shall pay 4*d.* and these duties shall be paid by the persons requiring them. *Ibid.*

The paper must be stamped before written on; but unstamped receipts under 2*l.* may be given in evidence, but not as an acknowledgement of all demands being satisfied. *Ibid.*

Two-penny stamps on receipts for 2*l.* and under 20*l.* may be given in evidence, for the sum expressed therein. *Ibid.*

By 24 Geo. 3. c. 7. no person shall write or sign any receipt, except on stamp paper, on penalty of 5*l.*

Persons required to give a receipt may provide the stamp, and charge the value thereof. Receipts for the purchase money in any public fund or for dividends thereof, are not liable to the duty; nor those for drawbacks. *Ibid.*

No receipt shall be stamped after written, unless on payment of 10*l.* and any magistrate may determine offences against this act, within a year. *Ibid.*

For legacies. Receipts for legacies or shares of personal estates, not more than 20*l.* pay by 20 Geo. 3. c. 28. 2*s.* 6*d.*—and by 23 Geo. 3. c. 58. 2*s.* 6*d.* more.—IN THE WHOLE, five shillings.

Under 100*l.* by 20 Geo. 3. c. 28. 5*s.*—and by 23 Geo. 3. c. 58. 5*s.* more.—IN THE WHOLE, ten shillings.

Above 100*l.* by 20 Geo. 3. c. 28. 1*l.* and by 23 Geo. 3. c. 58. 1*l.* more.—IN THE WHOLE, two pounds.

And by 23 Geo. 3. c. 58. an additional twenty shillings for every further 100*l.*

Wives, children, and grand children pay but half these legacy duties; and they do not pay any part of the 20*s.* for every additional or further 100*l.* 23 Geo. 3. c. 58.

### Rules.

Rules and orders in courts at Westminster, and copies thereof pay 6*d.* by 5 W. 3. c. 21.—6*d.* more by 9 & 10 W. 3. c. 25.—and 6*d.* more by 32 Geo. 2. c. 35.—IN THE WHOLE, one shilling and six-pence.

### Scotch Deeds.

Original instruments of surrender, or resignation of heretable rights, original retour of services of heirs, original saisin, original instruments of surrender, or resignation service, or cognition of heirs in Scotland, pay 2*s.* 3*d.* by 10 Ann. c. 19.—by 17 Geo. 3. c. 50. 1*s.* 6*d.*—and by 23 Geo. 3. c. 58. 1*s.* more.—IN THE WHOLE, four shillings and nine-pence.

Scotch instruments are not charged with stamp duties previous to the union, 5 Ann. c. 8.

Deeds not charged with the 2*s.* 3*d.* pay 6*d.* by 12 Ann. stat. 2. c. 9.

### Sentence.

Sentence in the ecclesiastical courts, and copies thereof pay 6*d.* by 5 Will. 3. c. 21.—6*d.* more by 9 & 10 Will. 3. c. 25.—and 1*s.* more by 23 Geo. 3. c. 58.—IN THE WHOLE, two shillings.  
Significavit



## Significavit.

Significavit pays 5 s. by 5 Will. 3. c. 21.—and 5 s. more by 9 & 10 Will. 3. c. 25.—IN THE WHOLE, ten shillings.

## Sweets.

By 26 Geo. 3. c. 74. licenses for selling sweets by retail may be granted to persons not having a spirituous liquor or ale license, on a stamp of two pounds and four shillings each. Former provisions relating to stamps on wine licenses are extended to this act, where not altered. Licenses shall contain, and dealers shall exhibit on their houses, the words, *dealer in British wines*.

## Sign manual.

Sign manual to any beneficial warrant or order, (except warrants or orders for the service of the navy, army, and ordnance) pay 2 s. 6 d. by 5 Will. 3. c. 21.—2 s. 6 d. more by 9 & 10 Will. 3. c. 25.—2 s. 6 d. more by 12 Ann. stat. 2. c. 9.—and 5 s. more by 23 Geo. 3. c. 58.—IN THE WHOLE, twelve shillings and sixpence.

## Statutes.

Statute staple, merchant, or recognizance, pays 5 s. by 5 Will. 3. c. 21.—and 5 s. more by 9 & 10 Will. 3. c. 25.—IN THE WHOLE, ten shillings.

Recognizances before justices of peace are exempted.

## Transfer of Stock.

Transfer of stock in any company, society, or corporation, pays 6 d. by 5 Will. 3. c. 21.—6 d. more by 9 & 10 Will. 3. c. 25.—2 s. 3 d. by 10 Ann. c. 19.—4 s. 6 d. more by 12 Ann. stat. 2. c. 9.—and 2 s. 3 d. more by 23 Geo. 3. c. 58.—IN THE WHOLE, ten shillings.

But by 26 Geo. 3. c. 83. the additional duty by 23 Geo. 3. c. 58. shall not extend to transfers of bank or South-sea stock; so that the duty thereon amounts to seven shillings and ninepence only.

## Writs.

Writ of *habeas corpus* pays by 5 Will. 3. c. 21. five shillings.

Writs of *certiorari*, *error*, or *appeal*, except to delegates, pay 5 s. by 5 Will. 3. c. 21.—5 s. more by 9 & 10 Will. 3. c. 25.—6 d. more by 12 Geo. 1. c. 33.—6 d. more by 32 Geo. 2. c. 35.—and 6 d. more by 23 Geo. 3. c. 58.—IN THE WHOLE, eleven shillings and sixpence.

Writs of *covenant* for buying land, and writs of *entry* pay 5 s. by 5 Will. 3. c. 21.—5 s. more by 19 Geo. 3. c. 66.—and 5 s. more by 23 Geo. 3. c. 58.—IN THE WHOLE, fifteen shillings.

Every other writ original, (except such on which a *capias* issues) *subpoena*, *bill of Middlesex*, *latitat*, *capias*, *quo minus*, *dedimus potestatem*, and every other writ, process or mandate of courts holding plea of 40s. pay 6d. by 5 *Will.* 3. c. 21.—6d. more by 9 & 10 *Will.* 3. c. 25.—6d. more by 12 *Geo.* 1. c. 33.—6d. more by 32 *Geo.* 2. c. 35.—and 6d. more by 23 *Geo.* 3. c. 58.—IN THE WHOLE, two shillings and sixpence.

## Stannaries.

By 16 *Car.* 1. c. 15. none shall be sued in the stannary courts but tanners, and concerning tin works, and persons arrested, or bailed, in the stannaries, shall sign a note in writing.

By 27 *Geo.* 2. c. 6. labourers in the stannaries may recover their wages before justices of peace, or sue for the same in the stannary courts. (*See title Labourers.*)

## Stolen Goods.

By 6 *Geo.* 1. c. 23. prosecuting to conviction, any person taking reward for helping to stolen goods not having apprehended the felon, shall be intitled to a reward of 40l.

By 29 *Geo.* 2. c. 30. buyers or receivers of lead, iron, copper, brass, bell metal, or solder, knowing the same to be stolen, if convicted, shall be transported for fourteen years.

A justice may issue a search-warrant, and suspected persons found with any materials, in the night, may be apprehended by the parish officers or watchmen, and carried before two justices; the goods are to be advertised, and till claimed, to be deposited in the hands of the churchwardens or overseers; if not claimed in thirty days they are to be sold, and the produce divided between the officer and the poor. *Ibid.*

Persons to whom such goods shall be offered for sale, or pawn, shall, on suspicion, seize the offender and carry him before a justice, on pain of being deemed guilty of a misdemeanor, and forfeiting, for the first offence, 20s. for the second 40s. and for every subsequent offence 4l. *Ibid.*

Persons having such stolen materials in their possession, and not accounting satisfactorily for the same, shall be guilty of a misdemeanor, and forfeit 40s. for the first offence, for the second 4l. and for every other 6l. *Ibid.*

Offenders convicting the buyers or receivers of such stolen materials, are intitled to a pardon. *Ibid.*

The forfeitures go half to the poor and half to the informer; to be levied by distress and sale; and for want thereof, the party shall be imprisoned, for the first offence, one month, for the second two months, and for every other offence, at the discretion of the sessions. *Ibid.*

By 22 Geo. 3. c. 58. every person buying or receiving stolen goods shall be deemed guilty of a misdemeanour, and prosecuted accordingly.

Justices may grant search warrants to discover stolen goods; and persons in whose custody they are found shall be deemed guilty of a misdemeanour. *Ibid.*

Constables may apprehend persons suspected of having any stolen goods between sun-setting and sun-rising, and on conviction they may be imprisoned not more than six nor less than three months. *Ibid.*

Persons offering stolen goods to be pawned or sold shall be taken before a justice; and persons under fifteen years of age, charged with felony within clergy, discovering two receivers, shall be entitled to his majesty's pardon. *Ibid.*

But this act shall not repeal any former law for punishing such offenders. *Ibid.*

See Lead, under the title Felony.

## Stores.

By 31 Eliz. c. 4. any person having charge of the stores, embezzling the same for gain, to impeach the service, to the value of 20s. shall be guilty of felony; to be prosecuted within the year.

By 9 & 10 W. 3. c. 41. no warlike or naval stores, except for the king's use, shall be made with the king's marks, on forfeiture of the goods and 200l. with costs; and the like penalty is inflicted on persons, in whose custody such stores are found, unless a certificate, under the hand of his majesty's commissioners, be produced.

Commissioners of the navy, ordnance, or victualling office, may sell any of the stores, so marked, and the buyer shall have a certificate thereof, expressing the quantities. *Ibid.*

But this is not to hinder any chief commander, at sea, from lending any of his majesty's stores to any merchant ship in distress, so they be restored, and the borrower is to have a certificate of the same. *Ibid.*

By 1 Geo. 1. c. 25. the commissioners of the navy may inquire of the embezzlement of naval stores, and punish the offenders, by fine of 20s. and a weeks imprisonment, or they may commit them till they find sureties to answer in the exchequer, within one year.

When the goods embezzled are under the value of 20s. the offender shall be fined double, and for want of distress, may be imprisoned three months. *Ibid.*

Naval stores embezzled, and put on ship board, may be seized by warrant of a commissioner; and any person counterfeiting the hand of any commissioner of the navy, whereby his majesty's naval treasure may be disposed of, may be committed to prison by such officers, until he find sureties to appear. *Ibid.*

By 8 Geo. 1. c. 12. continued by 26 Geo. 3. c. 53. till Sept. 29, 1792, timber and lumber from the British colonies, may be imported



imported duty free; but must be entered at the custom-house of the place of importation.

By 9 *Geo. 1. c. 8.* persons having timber, marked with a broad arrow, in their custody, or concealing the same, shall suffer according to 9 & 10 *W. 3. c. 41.*

Justices before whom any offender is convicted of having stores in his custody, may mitigate the penalty as he shall see cause, and commit the offender until payment, or cause him to be punished corporally. *Ibid.*

By 17 *Geo. 2. c. 40.* justices of assize, or quarter sessions, may try offences relating to the stores, and impose any fine not exceeding 200*l.* and may mitigate the same.

By 9 *Geo. 3. c. 30.* the treasurer and other officers of the navy, may, by warrant, apprehend persons stealing or embezzling stores.

Naval stores and iron are prohibited to be exported, unless pre-emption be first offered to the commissioners of the navy, *c. 35.*

By 11 *Geo. 3. c. 41.* unmanufactured wood (masts excepted) may be imported from *America* duty free.

## Sugar.

By 5 *Geo. 3. c. 45.* drawbacks by former acts on exportation of refined sugar, shall cease, and a bounty of 14 *s. 6d.* per cwt. on loaf or lump sugar, refined and exported, shall be allowed in lieu thereof; and by 21 *Geo. 3. c. 16.* 11*s. 6d.* more—in the whole 1*l. 6s.*

And on bastards, ground sugar, and candy, a drawback, by the first act, of 6*s. 4d.* and by the last 5*s. 4d.*—in the whole 11*s. 8d.*

By 18 *Geo. 3. c. 58.* sugar and panicles imported from *America*, without certificate, shall pay duty as foreign.

## Suits and Suitors.

By 52 *Hen. 3. c. 9.* none shall be distrained for suit of court, who was infeoffed by deed, or ancient feoffment, unless expressly bound thereto, or they or their ancestors have used to do such suit. Coparceners and joint feoffees, shall do but one suit; and lords distraining their tenants for suit not due, shall be attached to appear: but where tenants withhold their due suits, the lords shall recover the same, with damages.

By 6 *Ed. 1. c. 8.* there shall not be suit in the king's courts, under the value of 40*s.*

By 8 *Eliz. c. 2.* the judges of inferior courts may award costs on the discontinuance of process; and any person causing another to be arrested at the suit of one not knowing thereof, shall be imprisoned and render treble damages, and pay to the person whose name he used 10*l.*

By 43 *Eliz. c. 6.* a sheriff making a warrant for arresting any person before he has the original writ for the same, shall forfeit 10*l.* and damages, and be fined 20*l.*

By 17 *Car. 2. c. 8.* the death of either party between the verdict and the judgement, shall not be alleged for error, so as such judgement shall be entered within two terms after the verdict.

An administrator *de bonis non* may sue a scire facias, and take execution of a judgement obtained by the executor on verdict. *Ibid.*

By 22 & 23 *Car. 2. c. 9.* in all actions of trespass, assault, and battery, and other personal actions in the courts at *Westminster*, wherein the judge shall not certify that an assault and battery was sufficiently proved, or that the title of land was chiefly in question, if the jury find damages under 40*s.* the plaintiff shall not obtain more costs.

By 8 & 9 *W. 3. c. 11.* where several persons are defendants to any action, and one or more of them be acquitted on trial, such person shall have costs, as if all were acquitted, unless the judge shall certify that there was a reasonable cause for making such person defendant.

Where judgement is given for the defendant on demurrer, or on writ of error, he shall recover, and have execution for his costs. *Ibid.*

Plaintiff obtaining judgement on an action of waste, scire facias, or prohibition, shall recover costs. *Ibid.*

Where the defendant is found guilty in trespass, if the judge certifies that the same was wilful and malicious, the plaintiff shall recover full costs. *Ibid.*

The law as to executors or administrators is not hereby altered. *Ibid.*

Suits shall not abate by death of either party, after an interlocutory judgment. *Ibid.*

Nor shall any action abate by the death of one or more plaintiffs or defendants, where there are survivors. *Ibid.*

In action on bonds, the plaintiff may assign as many breaches as he pleases, and the jury may assess damages for such breaches; defendant paying the same, execution may be had, the judgment remaining to answer further breach, on a scire facias to be brought by the plaintiff.

## Surety of the Peace.

By 21 *Jac. 1. c. 8.* process and writs of superseas of the peace, or good behaviour, shall not be granted but upon motion in open court.

False sureties procured for the gaining of writs of superseas, shall be punished by the judges. *Ibid.*

## Swans.

By 22 *Ed. 4. c. 6.* none shall have mark or game of swans, unless he have freehold of five marks yearly above all charges; any person having such freehold, may seize the swans forfeited; one half to the king.

## Swearing.

By 21 *Jac.* 1. c. 20. persons swearing or cursing shall forfeit 12 *d.* a time, to the poor of the parish, and for want of distress, be set in the stocks three hours. Prosecution must be within twenty days, and the act is to be read in every church twice a year.

By 6 & 7 *W. & M.* c. 11. and 19 *Geo.* 2. c. 21. servant, labourer, common soldier, or seaman, convicted of swearing, shall forfeit 1*s.* every other person 2*s.* the second offence double, and afterwards treble; for want of distress to be set in the stocks one hour.

Every person of or above the degree of a gentleman swearing, shall, in like manner, forfeit 5*s.* 19 *Geo.* 2. c. 21.

Profane swearers, in the hearing of any justice, shall be convicted without other proof. Constables shall seize persons profanely swearing, if unknown, and bring them before the next justice, who is to convict them on the officer's oath; and if they are known, information shall be made, whereupon the justice shall order the offender to appear, and the penalty shall be paid, or security given, or the offender shall be committed for ten days to the house of correction. *Ibid.*

Common soldiers and sailors not paying the penalty, shall be set in the stocks for two hours. Justices not doing their duty, forfeit 5*l.* and constables 40*s.* who, for want of distress, are to be committed for one month to the house of correction. All offenders are to pay all charges over and above the penalties, or be committed to the house of correction for six days extraordinary. *Ibid.*

The penalties go to the poor; the act is to be read quarterly in all churches, on pain of 5*l.* and the fee to the justice's clerk is 1*s.* *Ibid.*

## Swindlers.

By 33 *Hen.* 8. c. 1. persons obtaining another's money, goods, or other things, by any false token, or counterfeit letter, shall suffer imprisonment, pillory, or any corporal punishment, as the court, on conviction, shall adjudge.

By 30 *Geo.* 2. c. 24. persons convicted of obtaining money or goods by false pretences, or of sending threatening letters in order to extort money or goods, may be punished by fine and imprisonment, or by pillory, whipping, or transportation.

## Tail.

BY 13 *Ed.* 1. stat. 1. c. 1. land being given in tail, upon condition that if a man and his wife die without issue, the land shall revert to the donor; persons to whom given, shall not alien,  
as



as they might before this act, after issue had, but the land shall remain to such issue, or return to the giver or his heirs.

By 34 & 35 Hen. 8. c. 20. entail of the king's gift, whereof the reversion is in the king, shall not be barred by recovery with voucher or without: but the lessee of tenant in tail for twenty-one years, or three lives, with the accustomed rent reserved, shall enjoy against the heir in tail, where the reversion is in the king.

Taxes.

By 1 Ed. 3. stat. 2. c. 6. the commons shall be taxed after the old manner, and not otherwise.

By 45 Ed. 3. c. 4. no imposition, other than the custom and subsidy granted, shall be put on wool, wool-fells, and leather, in no sort, and any such shall be void.

By 9 Hen. 4. c. 7. goods shall be chargeable to the payment of taxes, where they were at the time the same was granted; none to be twice charged.

By 18 Hen. 6. c. 5. a collector of *dismes* and *quinzimes* appointed for a city or borough, shall not be collector for the county, unless he may dispend, in lands, 100*s.* a year.

By 1 Ric. 3. c. 2. no subject shall be charged by a benevolence or such like exaction, and the same before taken shall be no example.

By 25 Geo. 3. c. 47. the duties on carriages, the duties on waggons and carts, and on horses, shall be assessed by such persons, and in like manner as the duties on houses and windows, which duties are to be paid quarterly.

Assessors are to be appointed by the commissioners, who are to give notice to persons keeping carriages, waggons, or horses, to produce lists of the number kept by them, within their districts; and in case such lists are not delivered, the assessors are to charge for the same according to the information they obtain. *Ibid.*

Lists are to contain the greatest number of carriages and horses kept during the time to which they relate; and persons are to specify in their lists, what carriages or horses they pay for in different parishes. *Ibid.*

In case the lists are defective, the assessors may surcharge the same. Persons neglecting to deliver lists and declarations, are to forfeit 10*l.* and be doubly rated for such carriages or horses as they omit in their lists. *Ibid.*

Housekeepers are to deliver lists of lodgers who keep carriages and horses, containing the names of the parties, and number of carriages and horses, on penalty of 10*l.* *Ibid.*

Persons over-rated may appeal to the commissioners, delivering, on oath, a true list, and giving ten days notice; surveyors or assessors making a false surcharge, shall be punished as for neglect of duty, under the house and window tax acts. *Ibid.*

The determination of the commissioners shall be final, except that persons dissatisfied, may, in *England*, appeal to the court of king's bench: and in *Scotland*, to the court of session. *Ibid.*

Penalties above 20*l.* are recoverable in the superior courts, those under, before two justices. *Ibid.*

### Carts.

By 23 *Geo.* 3. c. 66. the following duties shall be paid to his majesty, viz. for every waggon, wain, or cart, with three or four wheels (not already charged with a duty) 4*s.* per ann.

For carts, and other two wheeled carriages (except those already charged) 2*s.* per ann. *Ibid.*

No person shall pay for more than one such carriage employed in agriculture only, nor more than three for any other purpose, except carriages employed for hire. *Ibid.*

It is not to extend to carts, or other two wheeled carriages employed in agriculture only, nor to one horse peat carts. *Ibid.*

Carriages employed in carrying arms or ammunition, for soldiers or marines, shall not be deemed working for hire. *Ibid.*

### Coaches.

By 25 *Geo.* 3. c. 47. the following duties shall be paid for carriages, viz. for every coach, landau, or other four wheeled carriage (except hackney coaches) 7*l.* per ann.

For every calash, chaise, or other carriage, with two or three wheels, 3*l.* 10*s.* per ann.

For the duties upon hackney coaches and chairs see the title London, coaches, &c.

### Hawkers and Pedlars.

By 9 *W.* 3. c. 27. every hawker and pedlar shall pay 4*l.* per ann. for a license; and travelling with a horse, mule, or beast, 4*l.* more per ann.

And by 25 *Geo.* 3. c. 78. every hawker and pedlar shall pay an additional duty of 4*l.* per ann. and travelling with a horse or other beast of burthen, a further duty of 8*l.* per ann. for each beast, besides the first duty and all former ones.

The whole of the former duties, and the present additional ones, must be paid on taking out the license, without any discount. *Ibid.*

Any hawker or pedlar selling goods by auction, shall forfeit 50*l.* for each offence. Travelling without license is a forfeiture of 10*l.* and refusing to produce the same when required, by an authorized person, is a like penalty, and on non-payment thereof, imprisonment as a common vagrant. *Ibid.*

Every person travelling with a forged license, forfeits 10*l.* and lending or letting the same to hire, is a like penalty, and forfeiture of the license, with incapacity to have a future one. *Ibid.*

Every person trading without license, or refusing to produce one, may be detained till the 10*l.* is paid, or levied by distress on his goods. *Ibid.*

Every constable or peace officer refusing to assist in the execution of this act, shall forfeit 10*l.* for each offence. *Ibid.*

Every hawker exposing to sale, any goods, wares, or merchandizes, in any city or market town, or within two miles thereof, shall forfeit 10*l.* except it be on a fair or market day. *Ibid.*

No hawker shall vend his goods in any county or place, in case the justices, at the general quarter sessions, shall have made an order to the contrary. *Ibid.*

Persons offending herein, shall be liable to the like penalties as hawkers travelling without license. *Ibid.*

Hawkers who were licensed on June 23, 1785. may set up any business in the place where they are resident inhabitants, though not brought up thereto, and may employ therein persons who have not been apprentices. *Ibid.*

No wholesale trader in *English* lace, in woollen, linen, silk, cotton, or mixed goods, or any other kind of *British* goods, shall be deemed a hawker. *Ibid.*

This act does not extend to the selling of newspapers, fish, fruits, or victuals, nor to the real workers or makers of *British* goods selling the same, nor to any travelling tinker, cooper, glazier, plumber, or harness-mender. *Ibid.*

Penalties above 20*l.* are to be recovered in the courts at *Westminster*; before one justice, in which case an appeal is allowed to the quarter sessions. The penalties go, half to the crown and half to the informer. *Ibid.*

Witnesses neglecting or refusing to appear before a justice, on summons, are to forfeit 10*l.* *Ibid.*

### Horses.

By 24 *Geo.* 3. c. 31. the following duties shall be paid to his majesty, viz.

For every saddle horse, or coach horse, the yearly sum of *ten shillings*.

This is not to extend to horses belonging to non-commissioned officers or privates in the cavalry, or to horses kept for sale, or post horses. *Ibid.*

By 26 *Geo.* 3. c. 79. no horse kept for husbandry, or for carriage of burthens in the course of the trade of the proprietor, shall be chargeable with the duty, if only rode when returning from the place to which any load is carried, or in going to a place to get a load, or when used for riding to procure medical assistance, to or from market, to or from church, to or from parliamentary elections, to or from any courts of justice, or to or from any meeting of the commissioners of taxes.

No tax shall be levied for horses kept by persons exempted from the poor's rates. *Ibid.*

Persons



Persons occupying farms of less than 70*l.* per ann. are not chargeable with duty for horses used in husbandry, and only rode occasionally. *Ibid.*

### Houses and Windows.

By 6 Geo. 3. c. 38. there shall be paid for every dwelling house inhabited within *England* 3*s.* per ann.

And for every window the following sums ;

7 windows, and no more	2 <i>d.</i> each
8 — — —	6 <i>d.</i> each
9 — — —	8 <i>d.</i> each
10 — — —	10 <i>d.</i> each
11 — — —	1 <i>s.</i> each
12 — — —	1 <i>s.</i> 2 <i>d.</i> each
13 — — —	1 <i>s.</i> 4 <i>d.</i> each
14, 15, 16, 17, 18, 19	1 <i>s.</i> 6 <i>d.</i> each
20 — — —	1 <i>s.</i> 7 <i>d.</i> each
21 — — —	1 <i>s.</i> 8 <i>d.</i> each
22 — — —	1 <i>s.</i> 9 <i>d.</i> each
23 — — —	1 <i>s.</i> 10 <i>d.</i> each
24 — — —	1 <i>s.</i> 11 <i>d.</i> each
25 and upwards	2 <i>s.</i> each

Dwelling houses occupied by poor persons who are exempted from contributions to church and poor, being cottages not containing above nine windows, are excepted. 20 Geo. 2. c. 3.

Houses inhabited by two families to be charged, as if inhabited by one family only. *Ibid.*

Chambers in colleges to be charged as an entire house. *Ibid.*

Chambers in any of the inns of court or chancery, to be charged as an entire house : and houses left in the care of any servant to be charged as inhabited. *Ibid.*

Windows in every kitchen, washhouse, or the like, occupied with any dwelling house, shall be deemed part thereof, and all windows charged accordingly. 21 Geo. 2. c. 10.

None to gain a settlement by payment of these duties. *Ibid.*

The duties on houses and windows to be levied in *Scotland*, and the commissioners of the land tax shall nominate assessors for surveying. 26 Geo. 2. c. 17.

Houses in *Scotland* under five windows exempt ; to be paid quarterly, and the assessments to be yearly from the 5th of April. 6 Geo. 3. c. 38.

By 19 Geo. 3. c. 59. there shall be paid for all inhabited dwelling houses the duties following, *v.z.*

From 5*l.* to 20*l.* per ann. 6*d.* in the pound.

To 40*l.* per ann. 9*d.* in the pound.

And above, 1*s.* in the pound

Shops and warehouses attached to, or communicating with dwelling houses, (except belonging to wharfs) to be charged therewith, but not

not if separate, and only used for lodging goods, or for manufactories, and coach houses, and other offices, yards and gardens, not above an acre, to be valued with the dwelling house. *Ibid.*

Where only a person resides to take care of a house, not to be deemed inhabited, but halls and offices paying parish rates chargeable. *Ibid.*

Farm houses used only for husbandry, under 10 *l.* per ann. not charged, nor any house for the reception of poor, or if not occupied by the owner, or rented by a tenant. *Ibid.*

Commissioners to be sworn to act uprightly; and those of the city of London to have 2000 *l.* qualification, on penalty of 200 *l.*

## New Duty on Windows.

By 24 Geo. 3. c. 33. the following additional duties shall be paid for all inhabited houses in Great Britain, viz.

For every dwelling house rated by 6 Geo. 3. c. 38. at 3 *s.* an additional 3 *s.*

For every dwelling house rated for	£. s. d.	For every dwelling house rated for	£. s. d.
7 windows	0 6 0	40 to 44 windows	5 10 0
8 ditto	0 8 0	45 to 49 ditto	6 0 0
9 ditto	0 10 6	50 to 54 ditto	6 10 0
10 ditto	0 13 0	55 to 59 ditto	7 0 0
11 ditto	0 15 6	60 to 64 ditto	7 10 0
12 ditto	0 18 0	65 to 69 ditto	8 0 0
13 ditto	1 0 0	70 to 74 ditto	8 10 0
14 ditto	1 5 0	75 to 79 ditto	9 0 0
15 ditto	1 10 0	80 to 84 ditto	9 10 0
16 ditto	1 15 0	85 to 89 ditto	10 0 0
17 ditto	2 0 0	90 to 94 ditto	10 10 0
18 ditto	2 5 0	95 to 99 ditto	11 0 0
19 ditto	2 10 0	100 to 109 ditto	12 0 0
20 ditto	2 15 0	110 to 119 ditto	13 0 0
21 ditto	3 0 0	120 to 129 ditto	14 0 0
22 ditto	3 5 0	130 to 139 ditto	15 0 0
23 ditto	3 10 0	140 to 149 ditto	16 0 0
24 ditto	3 15 0	150 to 159 ditto	17 0 0
25 to 29 ditto	4 0 0	160 to 169 ditto	18 0 0
30 to 34 ditto	4 10 0	170 to 179 ditto	19 0 0
35 to 39 ditto	5 0 0		

And for 180 windows, and above—20 *l.*

Persons occupying three or more houses, shall pay for only those two which contain the greatest number of windows, on giving notice thereof to the collectors, and persons not paying for such two houses, according to the notice given to the collectors, shall forfeit 50 *l.* *Ibid.*

The duties are to be paid in addition to those charged by 6 Geo. 3. c. 38. and 19 Geo. 3. c. 59. are to be paid in England quarterly, in

R r

Scotland

Scotland half yearly, and are charged on the occupiers of the houses; but poor people exempted from church and poor rates are not liable. *Ibid.*

The duties are to be under the management of the commissioners of the duties on houses and windows, and are to be assessed and surveyed in like manner. *Ibid.*

Where houses are let in different tenements, the landlord shall be deemed the occupier; dwelling rooms in offices chargeable to other taxes or parish rates, shall be subject to the duties granted by this act. Apartments in the inns of court, are liable to the duties. *Ibid.*

The acts of 18 & 19 Geo. 3. for exempting warehouses are extended to this act. Hospitals are exempted, except officers apartments. Parents and guardians are liable to pay for infants. No person shall gain a settlement by payment of these rates; and no house shall be deemed inhabited, unless inhabited by the owner, a servant, or tenant. *Ibid.*

Appeal lies to the commissioners, and from them to the court of king's bench. *Ibid.*

#### Land Tax.

An act passes annually for the raising, in general, 2,037,627  $l.$  9s. 0 $\frac{1}{2}$ . by a land tax at 4s. in the pound, whereof, by the last act (27 Geo. 3. c. 5.) there shall be raised in the several counties in England, according to the proportions expressed in the act 1,989,673  $l.$  7s. 10 $\frac{1}{4}$   $d.$  and in Scotland, 47,954  $l.$  1s. 2  $d.$  by an eight months cefs of 5994  $l.$  5s. 1 $\frac{3}{4}$   $d.$  per *menssem*.

Personal estates (except such sums as are owing, and desperate debts, stocks on land, household stuff, and loans or debts owing from the king) are to pay 4s. per pound, according to the true yearly value thereof for one year. And employments of profit (except military officers in the army or navy) are to pay 4s. for every 20s. Annuities, pensions, stipends, &c. out of the exchequer, or any branch of the revenue of the crown, are likewise to pay. 27 Geo. 3. c. 5.

Lands, tenements, and all quarries, mines, iron-works, salt-springs, and salt-works, and all allum-mines or works; all parks, chaces, fishings, tithes, tolls, and annuities, are to be charged with equality and indifference. *Ibid.*

Rent-charges, annuities, fee farm rents, are chargeable; and owners and proprietors of such lands, &c. may deduct a proportional part of the rate out of such fee-farm rents, &c. *Ibid.*

The commissioners appointed are to meet on or before 30 April, and may subdivide themselves. *Ibid.*

Lists of the commissioners to act in each division are to be delivered to the receiver-general; and the commissioners are to summon fit persons to be assessors, requiring them to appear in eight days, and shall then give them a charge; and the persons absenting, or refusing to serve, shall forfeit not exceeding 5  $l.$  nor less than 40s. Two sufficient inhabitants of each parish are to be appointed assessors; and a day and place to be prefixed for the assessors to bring in their assessments; who are to assess the full sum given them in charge.



A certificate of the said assessment shall be brought in with the names of two or more collectors; and assessors neglecting their duty shall forfeit not exceeding 40*l.* The assessors are to deliver one copy of the assessments to the commissioners, who are to sign two duplicates thereof, and deliver one to the collectors with warrant for collecting the same: and the commissioners are to give the collectors notice at what time and place the appeals of persons aggrieved, by being over-rated, may be heard and determined; appeals, so appointed, shall be at least thirty days from the time of signing and delivering the duplicates to the collectors; and every collector is required, within ten days from the receipt of the duplicates from the commissioners, to cause notice to be given in every parish church, &c. within his district or division, immediately after divine service on the Lord's day (if such service shall be there performed within that time) of the time and place appointed for hearing appeals: and shall cause the like notice to be fixed in writing upon the door of each parish church, &c. on the same day, that all persons over-rated may know when and where to make their appeal; and the collectors are also required, upon application of any person or persons over-rated, to permit such person or persons, or their representatives, to inspect the duplicates or assessments at any reasonable time in the day, without fee or reward; and every person intending to appeal, shall give notice thereof in writing to one or more assessors of the parish where he is rated, that the assessor, if thought proper, may then attend to justify the assessment: and all appeals once heard and determined by three or more commissioners, on the days appointed for hearing appeals, shall be final. And the commissioners are to deliver a duplicate in parchment, containing the assessments, and also the names of the assessors and collectors, to the receiver-general, and one to the remembrancer's office, on or before 8 *August*, or within twenty days after (all appeals being first determined) for which duplicate the remembrancer shall give a receipt *gratis*, on pain of 10*l.* *Ibid.*

The rates shall be levied on parties, or upon the premises, and shall be paid to the receiver-general. *Ibid.*

The money collected shall be paid to the receiver-general, or his deputies, of whom he shall give notice to the commissioners; and the collectors are not obliged to travel above ten miles. *Ibid.*

If any receiver-general shall die, or be removed, notice thereof shall be given to the commissioners. *Ibid.*

The receivers-general, within a month after receiving the full sum charged, are to give the commissioners a receipt, which shall be a full discharge. And the receivers-general, within twenty days after, shall pay the money into the exchequer; and they may be allowed 2*d.* in the pound. *Ibid.*

The collectors may detain 3*d.* in the pound; and the commissioners clerks shall have three halfpence in the pound. *Ibid.*

Books are declared to belong to the commissioners; and on death or removal of any of the officers, the same shall be delivered up within one month, on pain of 50*l.* *Ibid.*

In case of non-payment, collectors may levy by distress, keeping the same four days at the owner's charge; and then the said distress shall be appraised and sold, and the overplus returned. And where differences happen about such distresses, the commissioners shall determine the same. And for want of distress may commit the offender (unless a peer or peers of *Great Britain*) to the common gaol, until payment be made. Tenants are to pay the tax, and deduct the same out of their rent. *Ibid.*

Tenants paying the assessments, shall be discharged for what they so pay: and on differences arising between landlord and tenant, two commissioners are to settle the same. And in case of deficiencies, the commissioners, &c. are to re-assess the respective divisions. *Ibid.*

Assessors, collectors, or others, not performing their duty, or being guilty of fraud, &c. may be fined 40 *l.* which fine shall not be taken off but by the commissioners consent, and shall be levied by distress or imprisonment, and be paid into the exchequer, and inserted in the duplicates. *Ibid.*

Collectors detaining the monies are to be imprisoned, and their estates seized and sold. *Ibid.*

The collectors are to give security. *Ibid.*

The commissioners are to examine whether the money charged be fully collected and returned. *Ibid.*

If any controversy arise concerning the assessments on any of the commissioners, they shall withdraw during the debate; and in default, may be fined not exceeding 20 *l.* *Ibid.*

No privileged place or person shall be exempt from the assessments, nor fee farm rents; but tenants are to pay the rates. *Ibid.*

Colleges and halls in either of the two universities, and the colleges of *Windfor*, *Eaton*, *Winton*, and *Westminster*, and the corporation for relief of the poor widows, and children of clergymen, and *Bromley* college, and any hospital, in respect of the sites thereof; and any masters, fellows, scholars, or officers of the said universities, colleges, or halls: and all lands, which on 25 *March*, 1693, did belong to any college or hall, or to *Christ's Hospital*, *St. Bartholomew's*, *Bridewell*, *St. Thomas's*, or *Bethlem Hospital*, or the corporation of clergymen's widows, or to *Bromley* college, or any other hospital, &c. in respect only of the rents which were payable on the said 25 *March*, 1693, for the relief of the poor thereof only, are not chargeable. *Ibid.*

No tenants to hospitals shall claim any exemption. *Ibid.*

But such tenants who are obliged by their leases to pay taxes, are still to pay the same. *Ibid.*

The commissioners are to determine how far any lands belonging to any hospital not exempted by name ought to be charged. *Ibid.*

All hospital lands or rents assessed *anno 4 W. & M.* are to be charged to this present aid; but no other. *Ibid.*

Receivers of fee farm rents, or other chief rents, are to allow 4 *s.* in the pound to the parties without fee, on penalty of 20 *l.* If any auditor set *insuper* any tenant, for what ought to be allowed, or shall not allow the same, he shall forfeit 100 *l.* to the party grieved, and be disabled. *Ibid.*

Such

Such fee-farm rents only shall have an allowance of 4s. per pound, as are answerable to his majesty, or have been purchased from the crown, according to 22 & 23 Car. 2. and the owners are to allow the same to the parties paying. *Ibid.*

Lists of all pensions, annuities, and of all fees, salaries, &c. payable at the exchequer or other public offices shall be delivered *gratis* to the assessors. And the tax on all such pensions, annuities, &c. in case of non-payment, shall be stopped out of the same. *Ibid.*

Persons shall be taxed in the parish where they dwell, and not elsewhere. *Ibid.*

No clause or proviso in this act shall lessen the full sum appointed to be paid. Nor make void any contract between landlord and tenant. *Ibid.*

All places are to pay in such county, hundred, &c. where usually assessed, and not elsewhere. *Ibid.*

Where lands or houses are unoccupied, and no distress can be found, the collectors at any time after may enter and distrain. *Ibid.*

Wood may, at seasonable times be cut and sold (timber trees excepted) to pay the tax. *Ibid.*

If the tax on tithes, tolls or profits of markets, shall not be paid within six days after demand, the same may be seized and sold. *Ibid.*

Any receiver-general returning any money to be in arrear, when paid, forfeits treble damages to the party vexed, and to his majesty double the sum so returned. *Ibid.*

The commissioners are to assess the assessors, and no person may be compelled to be an assessor or collector out of the limits of the place where he inhabits. *Ibid.*

Assessments on ambassadors or foreign ministers houses, are to be paid by the landlords. *Ibid.*

In privileged and extra-parochial places, the commissioners are to appoint assessors, and collectors. *Ibid.*

No commissioner, assessor, or collector, shall be liable to any other penalties, than inflicted by this act. *Ibid.*

No commissioner shall act till he hath taken the oaths by 1 Geo. 1. altered by 6 Geo. 3. on pain of 200*l.* *Ibid.*

Persons rated for offices or employments, are to pay where the same are exercised, and all the chancery officers within the liberty of the rolls, annuities where rated, pensions where payable, personal estates where resident, so also persons not householders, and persons out of the realm, where they last abode within this realm. *Ibid.*

Goods shall be assessed in the county where the same shall be; and manors and lands where they lie. *Ibid.*

Persons doubly charged upon certificate of two commissioners are to be discharged for so much as is certified. *Ibid.*

This act shall not extend to Scotland, Ireland, Jersey, or Guernsey, as to personal estates. Persons who escape the taxation, are to be charged treble. *Ibid.*



Householders are to give to assessors, an account of their lodgers on penalty of 5*l.* *Ibid.*

Shares in the water companies, fire offices, or in any lights, and stock in the king's printing-house, are to pay 4*s.* in the pound. Companies of merchants in *London*, the bank of *England*, and all salaries and pensions at the post or excise offices, are to be paid for by the governors, or be levied by distress and sale. *Ibid.*

Every papist, or person so reputed, of eighteen years, or upwards, who shall not have taken the oaths of 1 *W. & M.* shall pay double, unless he take the said oaths within ten days after the first meeting of the commissioners. *Ibid.*

Persons of eighteen years of age, refusing to take the oaths shall pay double, and the commissioners are to summon all suspected persons. *Ibid.*

*Quakers* subscribing the declaration of fidelity 1 *W. & M.* are not to pay double. *Ibid.*

The owners of lands shall be only charged double, and the tenants discharged. *Ibid.*

No poor person shall be liable to the pound rate, whose lands are not of 20*s.* *per annum* value. *Ibid.*

Collector keeping the money in his hands, shall forfeit 40*l.* and any receiver-general paying the same, other than into the exchequer, and at or within the times limited by the act, shall forfeit 500*l.* *Ibid.*

Commissioners of the treasury shall not direct payment of the monies, other than into the exchequer. *Ibid.*

No stay of prosecution shall be allowed by any court, in suits under this act. *Ibid.*

The commissioners, may abate overcharges and re-assess such abatements, or raise them on persons undercharged. *Ibid.*

The receivers-general are to constitute deputies, for whom they shall be answerable; and shall appoint so many that no sub-collector travel above ten miles. Receivers-general not appointing such deputies, or attending themselves, shall forfeit 100*l.* one moiety to the king, the other to the prosecutor. *Ibid.*

Commissioners for the county at large may act in any city or place; and mayors and other chief magistrates may act in any city, as commissioners specially appointed. *Ibid.*

Members of parliament, are to be assessed for their ready money, at their mansion-houses, and assessing any member contrary hereto, is a forfeiture of 40*l.* to the party, with full costs of suit. *Ibid.*

No commissioner shall act for any county at large in *England* or *Wales*, (*Merioneth, Cardigan, Carmarthen, Glamorgan, Montgomery, Pembroke, and Monmouth*, excepted) unless taxed for 100*l.* *per ann.* *Ibid.*

Commissioners for *Anglesea* or *Carnarvon* may act being taxed for 60*l.* *per Ann.* *Ibid.*

Commissioner may act for any city, or borough, whereof he is an inhabitant, or in any of the inns of court, &c. But no attorney or solicitor, shall act without possessing lands of 100*l.* *per ann.* *Ibid.*

No

No person shall act as a commissioner within the city of *London*, and liberty of *St. Martin le Grand*, who is not possessed of 20*l.* *per ann.* or taxed for 150*l.* personal estate to the last year's land-tax. *Ibid.*

No person shall act as a commissioner within the city or liberty of *Westminster*, who is not possessed of lands taxed for 50*l.* *per ann.* to the land tax 1785. *Ibid.*

Persons disabled, presuming to act, forfeit 50*l.* to the informer. *Ibid.*

Collectors of the new water-works in *Exon* are to be charged. *Ibid.*

This act shall not charge her majesty's money or annuities, nor the annuities to any of the royal family. *Ibid.*

Nor shall it charge the pensions of superannuated sea-officers; or the pensions of widows of sea-officers slain in the service; or the revenue of the most noble order of the garter; or the pensions of the poor knights of *Windfor*. *Ibid.*

Rents belonging to the residentiaries of cathedrals, being chargeable to the land tax, and the overplus of the said rents going in shares for their maintenance; the said residentiaries shall not be further chargeable as enjoying offices of profit out of the said rents. *Ibid.*

This act shall not charge the pensions of 100*l.* *per ann.* granted by king *Charles II.* to the poor clergy of the isle of *Man*, nor the pensions of pages of honour. *Ibid.*

The receivers-general are to certify to the barons of the exchequer the failures of particular cities, &c. *Ibid.*

The auditor shall keep a register. *Ibid.*

Deputies shall pay the assessment for the principal, and on non-payment, be liable to distress. *Ibid.*

The receiver-general or his deputy, shall deliver a list to such person as the commissioners shall appoint containing an account of money paid by the collectors, and on refusal shall forfeit, not exceeding 20*l.* *Ibid.*

Collectors on making distress may keep in their hands for their own use so much money, as any two of the commissioners shall judge reasonable. *Ibid.*

No receiver shall set *insuper* any county for monies in arrear after three years, but the same shall be a debt on him and his sureties. *Ibid.*

Upon a *distingas* upon any such *insuper*, the sheriff shall return issues after the rate of 5*l.* upon every 100*l.* and process shall issue thereupon. *Ibid.*

The commissioners may summon collectors who have converted monies to their own use; or their heirs, or executors, and on examination may issue their warrants for paying such monies to his majesty's use, and such payment made in pursuance of such orders, shall be sufficient discharges to the said collectors, their heirs, &c. *Ibid.*

Collectors not paying may be imprisoned and their estates seized and sold. *Ibid.*

The commissioners may levy monies in arrear on former land taxes. *Ibid.*

No receiver-general, or his agents, shall sue any hundred for being robbed, unless the persons carrying such money be in company, and three in number at least, to attest the truth of their being so robbed. *Ibid.*

Turnpike tolls are not chargeable by this or any former act. *Ibid.*

The commissioners where assessors since 6 May, 1717, have omitted to charge their own estates may summon such assessors before 29th September and examine them, on oath, and award satisfaction to be paid to the collectors. *Ibid.*

The commissioners are to distinguish and set down the gross sum charged for double taxes to be transmitted to the exchequer. *Ibid.*

The collectors are to demand the entire sum assessed for the year on fairs, and for the booths, stalls, and standings, in the same, from the parties who shall set to sale any goods, if they can be found, or else on the premises charged, at any time within seven days after the first proclaiming of such fairs; and on nonpayment, may distrain and sell the goods. *Ibid.*

And the tenants of such booths, are to pay the rates, and deduct the same out of the rent payable for such booths. *Ibid.*

#### Offices and Pensions.

By 7 Geo. 1. stat. 1. c. 27. and 12 Geo. 1. c. 2. his majesty may cause a deduction of 6d. in the pound out of all salaries, gratuities and pensions, from the crown.

By 31 Geo. 2. c. 22. and 32 Geo. 2. c. 33. all employments of profit, pensions and gratuities, exceeding 100 l. per ann. shall pay a duty of one shilling in the pound, to be deducted by the persons paying the same; military and naval officers are excepted.

#### Servants.

By 25 Geo. 3. c. 43. the following duties shall be paid for MALE servants, viz. for one or two, 1l. 5s. each; for three or four, 1l. 10s. each; five to seven 1l. 15s. each; eight to ten 2l. each; for eleven and upwards 3l. each, and an additional 1l. 5s. for every male servant retained by unmarried men above twenty-one years of age.

The following servants are to be paid for, *maitre d'hotel*, house steward, master of the horse, groom of the chamber, valet de chambre, butler, under-butler, clerk of the kitchen, confectioner, cook, house porter, footman, coachman, groom, postillion, stable boy, and helpers, gardner, park-keeper, game keeper, huntsman, whipper-in, and waiters, except occasional ones. *Ibid.*

The following duties shall be paid for FEMALE servants; viz. for one 2s. 6d. for two 5s. each; for three or more 10s. each; and male persons *unmarried*, above 21 years of age, shall pay an additional



tional 2s. 6d. for one servant; 5s. each, for two servants; and 10s. each for three or more servants. *Ibid.*

This act is not to extend to servants employed in husbandry; and the duties for servants let out to hire are to be paid by the person who uses them. *Ibid.*

Duties shall be paid for apprentices employed in any of the said capacities, except parish ones, so that they be not kept in livery. *Ibid.*

The act is not to extend to butlers, cooks, gardeners, or porters in the universities; nor to the servants of the royal family; nor the royal hospitals. *Ibid.*

One servant of an officer under the rank of a field officer, shall not be liable to the duties. *Ibid.*

Officers disabled in his majesty's service, and on half pay, shall not be liable to the duties for one servant. *Ibid.*

Persons having young children or grandchildren shall be allowed one servant for every two children, without paying the duty. *Ibid.*

Female servants above sixty or under fourteen years of age shall not be liable to the duties. *Ibid.*

The duties shall be collected by such persons and paid into the exchequer under such penalties, as are appointed for the duties on houses and windows, the commissioners for which duties shall put this act in execution. *Ibid.*

The duties shall be paid quarterly, assessors shall give notice in writing to masters, to produce lists of their servants employed within their districts, and in case masters neglect to deliver such lists they shall assess them, according to what information they can get. *Ibid.*

Lists shall contain the greatest number of servants employed during the time to which they relate. Commissioners, on application, shall grant relief to persons who have been assessed in different places for the same servants; but persons who pay for servants in different parishes, shall specify in their lists what servants they retain elsewhere, and mean to pay for. *Ibid.*

In case the lists delivered to the assessors shall be found deficient, they may surcharge the same, the assessors are to deliver their assessments to the commissioners, who are to sign the same and appoint collectors. *Ibid.*

Surveyors of houses and windows may inspect the lists before they are signed, and amend the same, and if they find any omissions after the same are signed, they are to certify the same to the commissioners, who are to rectify the error. *Ibid.*

Masters neglecting to deliver lists and declarations are to forfeit 10l. and be doubly rated for those servants they omit in their lists, one half of which surcharge shall be allowed the assessor or surveyor making the same. *Ibid.*

Housekeepers shall deliver lists of lodgers who keep servants containing the names of the parties; on pain of 10l. *Ibid.*

Persons overrated may appeal to the commissioners and if they are dissatisfied with their decisions, they may apply to the court of king's bench in *England*, or the court of sessions in *Scotland*. *Ibid.*

Penalties

Penalties above 20*l.* are recoverable in the superior courts, and those which are under, before two justices, and may be levied by distress. Constables are to be aiding in executing this act. *Ibid.*

### *Shops.*

By 26 *Geo.* 3. c. 9. there shall be paid for every house, any part of which shall be used as a retail shop, worth 5*l.* *per ann.* and under 10*l.* 4*d.* in the pound.

Worth 10*l.* and under 15*l.*—8*d.* in the pound.

Worth 15*l.* and under 20*l.*—1*s.* in the pound.

Worth 20*l.* and under 25*l.*—1*s.* 3*d.* in the pound.

Worth 25*l.* and under 30*l.*—1*s.* 9*d.* in the pound.

And by 25 *Geo.* 3. c. 30. worth 30*l.* and upwards 2*s.* in the pound.

The above duties are to be paid in addition to the tax on houses and windows, by the occupiers quarterly. *Ibid.*

Every house, any part of which shall be used as a retail shop, for publicly selling any goods, wares or merchandizes by retail, and every building or place used as a shop only, is subject to the above duties, 26 *Geo.* 3. c. 9.

Poor persons not paying to church and poor are exempted. *Ibid.*

No warehouse for lodging goods, being distinct from the public shop, or adjoining to it, employed solely for the sale or manufactory of goods sold by wholesale only, shall be charged with this duty. 25 *Geo.* 3. c. 30.

Bakers and venders of bread, flour, meal, bran, or rubbles only, are exempt from this duty. *Ibid.*

Where houses liable to the duty are divided into different apartments among several occupiers, the landlord must pay. *Ibid.*

### Tenures.

By *stat. quia emptores terrarum* 18 *Ed.* 1. c. 1. every freeman may alien his lands, so that the feoffee shall hold the same of the chief lord, by such service, as his feoffor held before, and if part of the land be sold, the services shall be apportioned. c. 2.

By *stat. of wards and reliefs* 28 *Ed.* 1. *stat.* 1. the ward, marriage without disparagement, of land held in knight's service, belong to the chief lord.

The 17 *Ed.* 2. *stat.* 2. the form of homage, and fealty, done to the lord, by a freeman, or by a villain, was directed.

By 16 *Car.* 1. c. 20. none shall be compelled to take upon themselves the order of knighthood.

By 12 *Car.* 2. c. 24. wards and liveries, primer seisons, fines for alienations, tenures in capite, knights service, homage, escheage, and all consequents thereof were taken away, and all tenures shall be free and common socage.

Not

Not to take away rents certain, heriots, suits of court and the like, incident to tenure in common socage. *Ibid.*

Not to take away fines for alienation, due by particular custom of manors, and not held in chief. *Ibid.*

Not to take away tenures in frank almoign, nor by copy of court roll, nor the honorary services of grand serjeanty. *Ibid.*

Not to prejudice any title of honour feudal, or peerage. *Ibid.*

By 20 Geo. 2. c. 50. tenure of wardholding in Scotland is taken away, and converted into blanch and feu holdings.

## Theatres and public Amusements.

By 3 Jac. 1. c. 21. any person in a stage play or entertainment, profanely using the name of God or the Trinity, shall forfeit 10*l.*

By 10 Geo. 2. c. 19. stage players acting for gain, in, or within five miles of either of the universities, may be committed as rogues and vagabonds, by the vice chancellor.

By 10 Geo. 2. c. 28. persons acting plays in any place where they have not a legal settlement, for hire, gain, or reward, without royal authority, or license from the lord chamberlain, shall be deemed rogues and vagabonds; and whether they have a settlement, or not, they are to forfeit 50*l.* but if they pay that sum, they are discharged of the other penalties.

No new plays, or additions to old ones, shall be acted unless a copy thereof be sent to the lord chamberlain fourteen days before. *Ibid.*

The lord chamberlain may prohibit the acting any play or part thereof, and persons acting the same, before such copy be sent, or contrary to such prohibition, shall forfeit 50*l.* and their license. *Ibid.*

No person shall be authorized to act plays, by patent or license, but in the city and liberties of *Westminster*, or places of his majesty's residence. *Ibid.*

Plays acted in public houses shall be deemed performed for gain. And prosecutions must be within six months. *Ibid.*

By 25 Geo. 2. c. 36. made perpetual by 28 Geo. 2. c. 19. any house, garden, or place for public entertainment, musick, dancing, or singing, within twenty miles of *London*, without a license from the preceding *Michaelmas* quarter sessions shall be deemed disorderly houses.

Licensed places to have an inscription over them declaratory thereof, not to be opened before five in the evening; on breach of either of the conditions, license to be revoked. *Ibid.*

Not to extend to the theatres royal, or performances licensed by the crown or the lord chamberlain. *Ibid.*



## Tithes.

By 18 *Ed. 3. stat. 3. c. 7.* no scire facias shall be awarded to warn a clerk to answer for his tithes in chancery.

By 45 *Ed. 3. c. 3.* if tithes are demanded, in the spiritual court, of wood of twenty years growth, as *silva cædua*, a prohibition shall be granted.

By 5 *Hen. 4. c. 11.* the fermors of aliens shall pay tithes to the parsons and vicars, notwithstanding the seizure into the king's hands, or any prohibition.

By 27 *Hen. 8. c. 20.* tithes shall be paid according to the custom of the parish; offender in subtracting of tithes shall be convened before the ordinary, and shall be bound to obey the sentence. Not to extend to any dues for tithes in *London*: and parties sued may appeal and make legal defence.

By 32 *Hen. 8. c. 7.* persons intitled to tithes, lay or ecclesiastical, may sue for subtracting them, before the ordinary.

On appeal from the sentence, the appellant shall pay the costs, the party giving security to restore the same, if the sentence is affirmed; and two justices may commit any one refusing to perform the sentence. *Ibid.*

None shall be compelled to pay tithes who are discharged by the laws. *Ibid.*

Recoveries may be had, and conveyances made in temporal courts, of tithes, as of lands. *Ibid.*

No action shall lie in the temporal courts for subtraction of tithes, but suit shall be in the spiritual courts.

By 2 & 3 *Ed. 6. c. 13.* every person shall set forth his predial tithes, in such manner as they have been yielded within forty years before this act, on forfeiture of treble value.

The parson may view them set out and severed, wilfully withdrawing them before, or hindering the parson, on proof before spiritual judge, shall pay the double value and costs. *Ibid.*

Owner of cattle *agisted* in a waste, where the parish is unknown, shall pay the tithe in the parish he inhabits. *Ibid.*

Heaths and wastes which have paid no tithes by reason of barrenness, not being exempted by act of parliament, being improved into arable or meadow, shall pay tithes after seven years. *Ibid.*

Merchandizers and handicrafts in places where these have within these forty years *accustomed* to pay such personal tithes, shall pay tithes of their clear gains, deducting charges, common day labourers excepted. *Ibid.*

Customary offerings shall be paid where the party dwells, at the four usual offering days, or at *Easter*. *Ibid.*

Not to extend to fishing towns on the sea coasts, but they are to pay tithe by fish as accustomed within these forty years. *Ibid.*

Parsons may sue for tithes before any other judge than the ecclesiastical; and persons disobeying the ecclesiastical sentence, may be excommunicated. *Ibid.*

Prohibition

Prohibition shall be granted where usual; and no ecclesiastical jurisdiction shall be used contrary to the statutes. *Ibid.*

No tithes of marriage goods shall be exacted in *Wales* or the *Marches*. *Ibid.*

By 7 & 8 *W. 3. c. 6.* small tithes, not being paid in twenty days after demand, two justices not interested, on complaint, may summon the person, and determine the complaint, with 10*s.* costs, which, if not paid within ten days, may be levied by distress; but parties may appeal to the sessions.

This is not to extend to tithes in *London*, or any place otherwise settled by act of parliament. *Ibid.*

Persons complained of to justices, insisting on any modus or composition, and giving security to pay costs; the justices shall not give judgment, and the complainant may prosecute in any other court. *Ibid.*

Justices finding the complaint false and vexatious, may give costs not exceeding 10*s.* *Ibid.*

Suitors for small tithes in the exchequer or ecclesiastical court, not exceeding the value of 40*s.* shall have no benefit by this act. *Ibid.*

By 11 & 12 *W. 3. c. 16.* 5*s.* an acre shall be paid for hemp and flax, by way of tithe; but this shall not charge lands exempt by a *modus*.

## Tobacco and Snuff.

By 12 *Car. 2. c. 34.* tobacco shall not be set in seed or plant, in *England*, *Ireland*, (*repealed as to Ireland, 19 Geo. 3. c. 35.*) *Guernsey*, *Jersey*, (or *Scotland*, by 22 *Geo. 3. c. 73.*) on forfeiture of all such tobacco, or of 40*s.* for every rod or pole so planted.

Not to hinder planting tobacco in any physic garden, so as the quantity exceed not one half of one pole, in any one such place or garden. *Ibid.*

By 15 *Car. 2. c. 7.* the penalty is encreased to 10*l.* a pole, besides the former penalty.

By 22 & 23 *Car. 2. c. 26.* justices of peace shall issue warrants to constables, to search for tobacco sown, planted, or made, and destroy the same. Not destroying it, to forfeit 5*s.* for every rod of ground; and persons resisting the constable, shall forfeit 5*l.*

By 10 & 11 *W. 3. c. 21.* no tobacco shall be imported but in a cask, chest, or case, each to contain 200 weight, on forfeiture of the same and 6*d.* per lb.

By 6 *Ann. c. 22.* no tobacco of the growth of *Europe*, or mixed therewith, shall be sold in any ships of war. But the same shall be the produce of the *British* plantations, whereon the duty has been paid; on pain of the purser's losing his place, and forfeiting 3*s.* for every lb. sold.

By 1 *Geo. 1. c. 46.* tobacco shall not be adulterated, or mixed with leaves, herbs, or other materials; offering the same to sale.  
or

or to obtain drawback on exportation, shall forfeit 5 s. for every lb. weight, together with the leaves, and all utensils.

Houses may be searched at seasonable times, by warrant from two justices, and after seizure and condemnation, the leaves shall be burnt. *Ibid.*

Servants employed in adulterating tobacco, or vending the same, may be imprisoned six months. *Ibid.*

Persons mixing any snuff with oker, umber, or other colouring, or mixing any wood or dirt with snuff, or selling the same, shall forfeit the snuff, and 3 s. per lb. *Ibid.* And 5 Geo. 1. c. 11.

By 6 Geo. 1. c. 21. if any waste happen of tobacco exported to Ireland, an allowance shall be made not exceeding 2 l. per cent.

Tobacco exported for foreign parts, landed in Ireland, forfeited, and double the drawback. *Ibid.*

By 9 Geo. 1. c. 21. tobacco carried coastways from any other port than the place from whence certified, shall be forfeited, and double the value.

No drawback to be allowed for tobacco exported in any package but casks of 300 weight each, except cut or rolled tobacco. *Ibid.*

By 12 Geo. 1. c. 28. tobacco seized for non-payment of the duties, may be sold by the commissioners, or ordered to be burnt.

By 24 Geo. 2. c. 41. vessels taking in tobacco at the plantations for Great Britain, the officer of the customs there shall give the master a manifest, containing a true account.

Land-waiter not to permit tobacco to be landed till he has entered the manifest. *Ibid.*

No drawback on exportation, unless the tobacco be shipped from the same port at which imported, in the original package. *Ibid.*

Importer of tobacco selling the same, shall, within fourteen days after delivery to the purchaser, give the officer an account of the numbers. *Ibid.*

No tobacco or tobacco stalks, exceeding 24 lb. weight, to be carried by land to any other port or place, without a certificate. *Ibid.*

No tobacco to be shipped coastways, until entry made, and with a certificate. *Ibid.*

Tobacco imported otherwise than in a package of 450 lb. weight, to be forfeited. *Ibid.*

No unmanufactured tobacco to be exported, but in casks of 425 lb. weight, or more. *Ibid.*

No tobacco to be shipped for exportation (except to Ireland) unless in vessels of seventy tons or upwards. *Ibid.*

Bonds for payment of the duties on tobacco, to be deemed payable on the day mentioned for payment, and interest shall be charged from that day to the day of payment, or certificate. *Ibid.*

Exchequer may issue immediate extent upon affidavit that the debt is in danger, and the crown recovering the same before due, to allow usual discount. *Ibid.*

By 26 Geo. 2. c. 13. tobacco removed in greater quantities than allowed without certificate, may be seized.



By 5 Geo. 3. c. 43. assisting in running stalks or stems, forfeiture of treble the value, and also the ship, boat, carriage, and cattle employed.

A capias may be sued out for the penalty, and bail to be given to answer the same, and may also proceed for the other forfeitures. *Ibid.*

By 19 Geo. 3. c. 35. so much of two acts of 12 & 13 Car. 2. or of any other acts made in this kingdom which prohibits the planting of tobacco in *Ireland*, are repealed.

*Irish* tobacco shall be exported to *Great Britain* only, under the securities prescribed in the navigation act 12 Car. 2. *Ibid.*

Every commander of a vessel exporting *Irish* tobacco, shall, on his arrival at a *British* port, deliver to the collector the manifest or content of his lading, which he received at the port of lading in *Ireland*, on penalty of 100*l.* *Ibid.*

*Irish* tobacco shall not be imported into *Great Britain* in casks containing less than 450 lb. and shall be liable to the same duties and drawbacks, as tobacco, the growth of the *British* colonies in *America*. *Ibid.*

By 23 Geo. 3. c. 11. no tobacco or tobacco stalks exceeding 24 lb. nor snuff exceeding 10 lb. which has been removed from the place of importation, shall be afterwards removed without a proper certificate accompanying the goods.

All tobacco, or tobacco stalks, and snuff, removed contrary to this, or 24 Geo. 2. c. 41. shall be forfeited, with the cattle and carriages conveying the same. *Ibid.*

By 25 Geo. 3. c. 69. no drawback shall be allowed for snuff exported.

By 25 Geo. 3. c. 81. no tobacco but from *America* (except of the growth of *Spain* or *Portugal*, or of *Ireland*) shall be imported into *Great Britain*, on forfeiture thereof, with the ship and furniture.

Tobacco from *America* must be imported from the place of its growth, in ships of not less than seventy tons, and either in *British* ships, with the master and three fourths of the mariners *British*, or in *American* ships, with the master and three fourths of the mariners *American*, and to be imported only at *London*, *Bristol*, *Liverpool*, *Lancaster*, *Cowes*, *Whitehaven*, *Hull*, *Port Glasgow*, and *Greenock*; but *American* tobacco imported in traffick into the *West India* islands, may be from thence imported into *Great Britain*. *Ibid.*

No tobacco shall be imported but in casks containing 450 lb. weight, on forfeiture thereof, and treble the value from the master. *Ibid.*

Tobacco may be brought loose for the use of the seamen, at the rate of five pounds each; and small quantities of tobacco, being on board a vessel without the knowledge of the master, shall not make her liable to forfeiture. *Ibid.*

Officers of the customs in the *British* plantations, shall deliver to the master, on clearing, a manifest, and transmit a duplicate to the commissioners of the customs in *Great Britain*, on pain of 500*l.* and incapacitation. *Ibid.*

No tobacco of the growth of the *American* states shall be imported without a manifest, sworn to by the master of the vessel; and importing tobacco without a manifest, subjects the same to the *Spanish* and *Portuguese* duties, and the master to 100*l.* penalty. *Ibid.*

Manifest shall be produced to the officers of the customs of the port where a ship arrives, copies whereof are to be given, and entered at the nearest custom house, and transmitted to the commissioners of customs, and the officer shall lock down the hatchways, *Ibid.*

Not producing, or giving copies of manifests to the officers of the customs, and refusing to assist in locking down the hatchways, is a penalty of 100*l.* and officers neglecting to require the production thereof, or to lock down the hatchways, likewise forfeit 100*l.* *Ibid.*

The commissioners of customs are to appoint a place for mooring ships, till their cargoes are delivered, and a wilful non-compliance with their regulations is a penalty of 50*l.* *Ibid.*

Breaking bulk without authority from the officer of the customs, unless from necessity, is a forfeiture of the ship and cargo, and a penalty of 100*l.* on the master; and unfastening locks without authority, is a like penalty on the master. *Ibid.*

The master of a vessel shall make an entry, upon oath, of the burthen and contents thereof, before the chief officer of the customs at the port of arrival, on pain of 100*l.* and shall deliver his manifest, under a like penalty for neglect. *Ibid.*

Importers of tobacco shall make entry thereof within ten days, if the greatest part of the lading is tobacco, and within fifteen if the greatest part consists of other goods; and if the duties are not forthwith paid, they shall give bond to pay the same within eighteen months. *Ibid.*

Tobacco imported shall be deposited in warehouses, to be fixed upon by the commissioners of the customs, and provided out of the duties on tobacco. *Ibid.*

Landing waiters shall apply to the collectors for the entries of imported tobacco, and shall not suffer any to be landed till they have entered the particulars in their books, on penalty of 50*l.* The landing waiters are to give the usual permit to the officers on board for the delivery of any tobacco, which is to be delivered in their presence, and marked; and the landing waiters are to fix landing marks on each case, and enter the same in their books, on penalty of 50*l.* Landing waiters are to weigh the tobacco minutely, allowing two pounds in lieu of the turn of the scale. *Ibid.*

Samples may be taken of tobacco which has been weighed, but must be returned, and a second sample may be taken under the same restrictions, on return of the sample. *Ibid.*

Landing waiters shall furnish the warehouse keepers with copies of the entries, and with a cheque-book when the whole cargo is deposited, which, after examination, is to be returned signed to the landing waiter. *Ibid.*

Landing waiters, after the landing of the cargo, shall deliver to the merchant an account of the marks and weights of the packages. *Ibid.*

Damaged

Damaged tobacco shall be burnt, if the duty is refused to be paid; and the stalk shall not be separated from the leaf. *Ibid.*

The commissioners for tobacco actually damaged on ship board, and cut off to be burnt, shall make an allowance of one halfpenny per pound, so that the whole does not exceed 30s, a package. *Ibid.*

The sound part of damaged tobacco may be repacked in the presence of the landing waiters, and exported in packages, under 450 lb. weight. *Ibid.*

On entry of tobacco for exportation, the exporter shall mark on the cocket, the manifest marks, and the landing, and all other marks, together with the then weight, on pain of 5*l.* per package. *Ibid.*

A discount of 7 per cent. shall be allowed on payment of bonds before they become due. *Ibid.*

No unmanufactured tobacco shall be exported, but in the same packages, and from the same port where it was originally imported, on forfeiture thereof, and no drawback shall be allowed; but if paid, the same shall be repaid, and the person who made the entry, forfeit 200*l.* and those who export tobacco contrary hereto, are to forfeit 20*l.* per package. *Ibid.*

Before tobacco is taken out of any warehouse, the bonded duties shall be paid, and the vouchers thereof deposited with the warehouse-keeper. A certificate of payment of duties shall be given without fee, and the warehouse-keeper shall deliver tobacco thereon, and shall enter the same. *Ibid.*

No unmanufactured tobacco shall be removed from place to place without certificate, and in the original packages, on pain of forfeiture thereof, and all carts, carriages, and cattle conveying the same. *Ibid.*

An account of the quantity and marks of tobacco, intended to be manufactured, shall be delivered to the officer of the customs, on penalty of 30*l.* a package. *Ibid.*

When an importer sells tobacco, the same regulations, with respect to delivery of accounts thereof, shall be observed as on exportation, under the same penalties. *Ibid.*

A second purchaser of unmanufactured tobacco, in hogshheads, is intitled to the same certificates, on removal, as the first purchaser. *Ibid.*

Manufactured tobacco, above six pounds weight, removed without certificate of the duties having been paid, is forfeited. Before tobacco is removed, the weight of each package is to be written on the back of the certificate, and signed by the proprietor; and the certificate shall express the number of days it is to continue in force, and shall be delivered to the officer of the customs on the arrival of the goods at their intended place. *Ibid.*

No tobacco shall be again removed without certificate of its having been legally received at the former place of removal. Persons applying for certificates shall describe on the back, and make oath of the truth thereof, the particulars and weight—the certificate shall express the number of days it is to continue in force, and shall be de-



livered without fee, and shall be given to the proper officer on the arrival of the goods at their intended place. *Ibid.*

Removing tobacco, above six pounds weight, without certificate, or counterfeiting or altering certificates, incurs a penalty of 100*l.* besides forfeiture of the goods as above. *Ibid.*

No tobacco or stalks above six pounds weight, shall be removed, without being marked on the package, *tobacco, tobacco stalks, or snuff*, on forfeiture thereof, and 1*s.* per lb. *Ibid.*

No manufactured tobacco, stalks, or snuff, above six pounds weight, though in different packages, shall be removed at one time to the same person, or different persons in partnership, on forfeiture thereof. *Ibid.*

No tobacco which has been once removed shall be returned back again to the same place, without leave from the commissioners of customs, on forfeiture thereof, with the carriages. *Ibid.*

Tobacco conveying to and from snuff miles, without a certificate, shall be forfeited, and the owner thereof shall forfeit 20*s.* and the remover 5*s.* per lb. *Ibid.*

Decrease of weight of tobacco, from lying in warehouses, shall be allowed in the discharge of bonds; and security shall be given, that manufactured tobacco shipped for exportation, shall not be relanded in *Great Britain*, or the *Isle of Man*. *Ibid.*

Tobacco destroyed by fire in a warehouse, shall be allowed in discharge of bonds. *Ibid.*

Documents required by this act, and 24 *Geo. 2. c. 41.* relative to the importation of tobacco, shall be transmitted to such person as shall be appointed by the treasury, who is to conform to the regulations of the former act. *Ibid.*

Officers suspecting tobacco to be shipped for exportation (to *Ireland* excepted) in vessels of less burthen than seventy tons, may detain them till they are admeasured, agreeable to 13 *Geo. 3. c. 7. (ships)* and entering vessels of greater burthen than they are, is a penalty of 100*l.* *Ibid.*

Tobacco of more than 100 lb. weight on board any vessel under seventy tons, found hovering, or at anchor, within the limits of any of the ports of this kingdom, or within four leagues of the coasts thereof, or not proceeding on her voyage (except through necessity) shall be forfeited, and the masters incur a penalty of 100*l.* *Ibid.*

Bonds shall be deemed due on the day mentioned in their conditions, and bear interest. *Ibid.*

Erasing marks on packages, is a penalty of 20*l.* per package. Proprietors shall be at the expence and risque of mooring vessels. All expences of unshipping and of conveying to and from warehouses, shall be borne by the proprietors, except the expences of revenue officers; and the expences of stripping hogsheads from the tobacco, shall be borne by the proprietor. *Ibid.*

If bonds are not duly discharged, the tobacco may be sold for payment; and condemned tobacco stalks, and snuff, shall be burnt; and the officer who seized shall be paid out of the incidents, at the rate

rate of 6 *d.* per lb. of tobacco or snuff, and 1 *d.* per lb. of tobacco stalks, or damaged tobacco. *Ibid.*

By 26 *Geo.* 3. *c.* 52. roll tobacco for exportation, containing any mixture of more than 12 lb. and twisted tobacco more than 10 lb. per cwt. shall be forfeited.

Cut tobacco for exportation, containing more than one-fifth part stalk, is forfeited. *Ibid.*

Disputes relative to the mixture of tobacco, shall be determined by two indifferent persons, one to be nominated by the officer, and the other by the proprietor. *Ibid.*

Tobacco from his majesty's colonies in *America*, or the United States, are liable to the same duty, whether paid on importation, or secured by bond; and no discount shall be allowed on bonds entered into under the last act, unless in twenty days after discharge, the tobacco is removed. *Ibid.*

## Tolls.

By 3 *Ed.* 1. *c.* 31. if the lord takes outrageous toll in the market town, he shall forfeit the franchise; and if the bailiff takes the same without command, he shall forfeit twice as much, and be imprisoned for forty days.

By the ordinance for bakers, the toll of a mill shall be taken according to the custom of the land, and the strength of the water course by the king's measure.

## Transportation.

By 16 *Geo.* 2. *c.* 15. convicts not transporting themselves, or being in this kingdom at large before their time, felony without benefit of clergy; and the prosecutor to conviction shall have a reward of 20 *l.*

By 8 *Geo.* 3. *c.* 16. where the king's mercy is extended to offenders, on condition of being transported, the judge, on certificate from the secretary of state, may order the same, and the convict shall be transferred to the contractor, and subject to the same rules, and also to felony without benefit of clergy, on returning before the time is expired, and the same reward as other transports.

By 19 *Geo.* 3. *c.* 74. offenders convicted and liable to transportation may be sent to *America*, or elsewhere beyond sea, and felony to return, or if found at large before their time is expired.

Offenders convicted, and liable to be burnt in the hand, may be fined or whipped; but this is not to abridge the power of imprisoning offenders. *Ibid.*

The king may appoint three supervisors to fix on ground for penitentiary houses for confining and employing convicts liable to transportation, to be approved by the lord chancellor, and they to appoint a governor, chaplain, surgeon, or apothecary, store-keeper,

er, task-master, and matron, with salaries, and may vary the number. *Ibid.*

The governor incorporated by the name of, The governor of the penitentiary house for males or females, in such a parish; and he is to be accountable for all servants, and his own, and their duty. *Ibid.*

Two offenders may be sent from *Wales* each circuit, four from *London*, each session, eight from the North circuit, ten from the *Midland*, ten from the *Norfolk*, twelve from the *Oxford*, twelve from the Western, and sixteen from the Home, each circuit yearly. *Ibid.*

All males convicted (except for petty larceny) liable to transportation, if able, shall be kept to hard labour on the *Thames*, not less than one, nor more than seven years, or if convicted capitally, and pardoned conditionally, the like. *Ibid.*

To be fed with bread, coarse food, and water or small beer, and to be clothed; and if they refuse to work, they may be whipped and punished as persons committed to the house of correction, and at the end of the confinement to receive not under 20s. nor more than 3*l* and clothing, and the king may shorten their term. *Ibid.*

Overseers to make returns of persons in custody, on oath, in *London*, every term to the court of king's bench, and in the country to the assizes and quarter sessions. *Ibid.*

Clerk of assize and sheriff to have the same fees as on transportation; and rescuing, or assisting to escape, felony, and subject to hard labour; and governors to have the same power as gaolers. *Ibid.*

The county of *Middlesex* to be allowed 300 *l.* per ann. for extraordinary expences. *Ibid.*

By 24 Geo. 3. c. 56. any person convicted, in *England* or *Wales*, of any crime punishable by transportation, may, by the court, be ordered to be transported accordingly; and his majesty in council may appoint to what place beyond the seas he shall be sent; and if his majesty should extend his mercy to any offender liable to the punishment of death, the court may order him to be transported beyond the seas, for any term not exceeding the term for which such person is by any law liable to be transported.

The contractor shall have a property in the service of the offender, and shall give proper security, the court may appoint two justices for the county, to contract for transportation of offenders, and the securities for transportation shall be by bond to the clerk of the peace; and persons contracting to transport offenders, may carry them through any county to the seaport; but rescuing transports, is felony without clergy. *Ibid.*

If any person ordered for transportation shall be found at large in *Great Britain* or *Ireland*, before the expiration of his term, he shall suffer death; and persons discovering and prosecuting such offenders, are intitled to a reward of 20 *l.* and the same certificate as for prosecuting highwaymen. *Ibid.*

The king may direct three justices of peace to order the removal of male prisoners under sentence of death, from any gaol in *England*

or



or *Wales*; and the gaoler shall deliver offenders according to such orders with a proper certificate, the fees and expences of which removal shall be paid by the county. *Ibid.*

Overseers to whom such prisoners are delivered, shall have the same powers over them as gaolers; and the time of imprisonment shall be deemed part of the term of transportation. *Ibid.*

Overseers may inflict moderate punishment for misbehaviour, and shall make returns of prisoners to the court of king's bench the first day of every term. *Ibid.*

Justices of assize may remove prisoners committed by justices of peace. If offenders cannot conveniently be transported to the place mentioned in their sentence, the court of king's bench may order them to be transported to any other place they shall think proper. *Ibid.*

Expences of executing this act, relative to the removal of prisoners, shall be laid annually before parliament. *Ibid.*

By 27 *Geo. 3. c. 2.* his majesty may authorise the governor or lieutenant governor of *New South Wales*, to convene a court of judicature for the trial of offenders, which court shall consist of the judge advocate for the place, and six officers of the land or sea forces. The charge is to be read to the offender, and reduced into writing; and upon the examination of witnesses, the court is to pronounce the same judgment, as upon a verdict.

The provost marshal shall execute the judgment of the court; but if five members do not concur in adjudging capital offenders, the proceedings shall be transmitted to his majesty. *Ibid.*

The court shall be a court of record. *Ibid.*

## Treason.

By 25 *Ed. 3. stat. 5. c. 2.* it is declared treason, to compass or imagine the death of the king, to violate his consort, to levy war in this realm, to counterfeit the king's great or privy seal, or his money, to slay the king's chancellor, or judges doing their offices. The forfeiture of the offenders escheats, in high treason, belongs to the king; treason not before specified, shall be first declared in parliament.

By 11 *Hen. 7. c. 1.* no person attending, and doing true service to the king for the time being, shall be attainted therefore of treason.

By 26 *Hen. 8. c. 13.* no offender in high treason shall have sanctuary.

Treasons committed out of the realm, shall be inquired in such county, and before such persons as the king shall appoint by commission. *Ibid.* and 35 *Hen. 8. c. 2.*

Offenders convict of high treason, shall forfeit all estates of inheritance, in use, possession, or right, at the time of the treason committed, or after, saving the rights of strangers. *Ibid.*

By 33 *Hen. 8. c. 20.* persons committing treason, being lunatic afterwards, and so found, shall nevertheless suffer death; and an attainder of treason, by the common law, shall be of the same force and effect, as if by authority of parliament.

By 1 *Ed. 6. c. 12.* no offence made treason by any statute shall be so adjudged, but only what is so by 25 *Ed. 3.* and by this present act.

Statutes of treason concerning money, the king's sign manual, privy signet, or privy seal, are confirmed. *Ibid.*

Concealing high treason shall be adjudged misprision of treason; and none shall be indicted of high treason, without two witnesses, or confession. *Ibid.*

By 5 & 6 *Ed. 6. c. 11.* outlawry of offender in treason being out of the realm, shall be as effectual as if he had been resident here.

The party outlawed, yielding himself to the chief justice, within a year after the judgment given thereupon, may be received to traverse. *Ibid.*

The wife shall lose her dower, if the husband be attainted of treason. *Ibid.*

By 1 *Mar. sess. 1. c. 1.* no act or offence shall be treason, petit treason, or misprision, but such as by 25 *Ed. 3. stat. 5. c. 2.* are so declared.

Counterfeiting foreign coin, made current in this realm, or the king's sign manual, privy signet, or privy seal, is high treason. *Ibid. sess. 2. c. 6.*

By 1 & 2 *Phil. & Mar. c. 10.* all trials for treason shall be according to the course of the common law; and concealment of treason shall be misprision thereof.

Importers of counterfeit foreign coin, made current in the realm, shall be punished, and tried as traitors. *Ibid. c. 11.*

By 5 *Eliz. c. 11.* clipping, washing, or filing money current in the realm, is treason; but does not cause corruption of blood, or loss of dower; *the same also by 18 Eliz. c. 1.*

By 14 *Eliz. c. 3.* it is misprision of treason to counterfeit foreign gold or silver coin, though not current in the realm.

By 23 *Eliz. c. 1.* endeavouring to reconcile or withdraw subjects to the Romish religion, is high treason.

By 29 *Eliz. c. 2.* no record of attainder of treason, shall be reversed, where the party attainted has been executed for the same.

By 7 *Will. 3. c. 3.* persons indicted for high treason shall have a copy of the indictment five days before trial, paying for the same; may make their defence by counsel, and witnesses on oath; and the court may assign them counsel.

No person shall be indicted for treason or misprision, but on the oath of two witnesses, unless the party confess, stand mute, or in high treason challenge above thirty-five jurors. *Ibid.*

Where a party outlawed may come in and be tried, he shall, upon such trial, have the benefit of this act. *Ibid.*

One witness to one treason, and another to another, shall not be deemed two witnesses to the same treason. *Ibid.*

The indictment shall be found within three years after the treason or misprision committed, except treason by designing or attempting assassination. *Ibid.*

The party indicted shall have copy of the panel of the jurors two days before trial, and process to compel witnesses to appear. *Ibid.*

No evidence shall be admitted of any overt act that is not expressly laid in the indictment. *Ibid.*

No indictment shall be quashed for miswriting, unless the exception be made before evidence given, and shall not be cause to arrest judgment; but the same may be reversed upon error. *Ibid.*

All peers who have a seat and vote in parliament, shall be summoned twenty days before trial of a peer, and take the oaths. *Ibid.*

This is not to extend to any impeachment in parliament, nor to any treason in counterfeiting his majesty's coin, great seal, or privy seal, sign manual, or privy signet. *Ibid.*

By 13 *Will. 3. c. 3.* the pretended prince of *Wales* was attainted of high treason, and corresponding with him was made treason.

By 1 *Ann. stat. 2. c. 17.* endeavouring to hinder the successor, according to the limitations of the act of settlement, shall be high treason.

By 2 & 3 *Ann. c. 20.* officer or soldier, out of *England*, or upon the sea, corresponding with the enemy, is guilty of high treason.

Such treasons may be tried in the king's bench at *Westminster*; and peers indicted for such treasons, are to be tried as accustomed; and any one indicted for the same, are intitled to the benefit of 7 *Will. 3. c. 3.* *Ibid.*

By 6 *Ann. c. 7.* persons who by writing shall declare the queen not to be lawful queen, or that the pretended prince of *Wales* hath any right to the crown, contrary to the act of settlement, are guilty of high treason; and persons preaching or speaking the same, shall incur the penalty of præmunire; but no prosecution shall be, unless information be made within three days after the words spoken.

By 7 *Ann. c. 21.* after the decease of the pretender shall take effect, no attainder for treason shall disinherit any heir; but he may enter after the death of such offender; and after such time, a copy of the indictment for treason shall be delivered to the party indicted, ten days before the trial.

*Not to extend to indictments for counterfeiting the coin, the great or privy seal, sign manual, or privy signet, or other indictment for high treason, or to any proceedings against offenders to be tried in the same manner as if for counterfeiting coin.* 6 *Geo. 3. c. 53.*

By 17 *Geo. 2. c. 39.* any of the pretender's sons attempting to land were attainted, and corresponding with them was declared treason.

By 19 *Geo. 2. c. 9.* jurors in *Scotland*, on trials for treason or misprision, shall be possessed as life renters of the yearly value of 40*s.*

By 20 *Geo. 2. c. 30.* persons impeached by the commons, are allowed to make defence by counsel, not exceeding two.

Rebels pardoned, returning from transportation, felony without benefit of clergy. *c. 46.*



## Trees.

By 9 *Geo. 1. c. 22.* whoever shall destroy any trees planted in any avenue, or growing in any garden, orchard, or plantation, for ornament, shelter, or profit, or shall rescue any offender, or procure any person to commit such offence, he shall suffer death *without* clergy

By 6 *Geo. 3. c. 36.* cutting down, destroying in the night-time, or carrying away any oak, beech, ash, elm, fir, chestnut, or asp timber, or other tree, standing, or likely to be timber, without the consent of the owner, or digging up roots, shrubs, or plants in inclosed ground, of 5 *s.* value, felony, and the offender may be transported for seven years; and also assistants and receivers the like.

Wilfully destroying, or carrying away any timber trees, viz. oak, beech, chestnut, walnut, ash, elm, cedar, fir, asp, lime, sycamore, or birch, shall forfeit, for the first offence, 20 *l.* for the second offence 30 *l.* or imprisonment, and for the third offence transportation for seven years. *c. 48.*

Pulling up, or taking away roots, shrubs, or plants, in private cultivated ground, for the first offence 40 *s.* and costs, for the second offence 5 *l.* and costs, and for the third offence transportation for seven years. *Ibid.*

The like of wood, underwood, poles, sticks, stubs, or young trees, for the first offence 40 *s.* for the second 5 *l.* and for the third offence to be punished as an incorrigible rogue. *Ibid.*

By 9 *Geo. 3. c. 41.* the last act is extended to the king's forests, and to hollies, thorns, and quick sets, and also to the having such in custody; and 13 *Geo. 3. c. 33.* extended it to poplar, alder, maple, larch, and hornbeam.

*See trespasss, woods, felonies.*

## Trespasss.

By 3 *Ed. 1. c. 20.* trespasssers in PARKS and ponds shall be imprisoned for three years, make fine, and find sureties, and in default shall abjure.

By 37 *Hen. 8. c. 6.* persons maliciously cutting off the heads or dams of waters, or the pipes of conduits, or the ears of any subject, or burning carts, or coals loaded or in heaps, or cutting out the tongues of beasts, or barking of trees, shall forfeit treble damages, and be fined 10 *l.*

By 43 *Eliz. c. 7.* a justice of peace may order satisfaction against offenders cutting corn, woods, fruit trees, or breaking hedges, fences, or pales, and for default of satisfaction, may direct them to be whipped; and constables or like officers refusing to whip offenders, may be committed till they do; but no justice shall act hereunder for offences committed against himself without calling to his aid another justice.

By 22 & 23 *Car. 2. c. 7.* persons maiming horses, sheep, or other cattle in the night, or destroying plantations of trees, or throwing down

down inclosures, shall render treble damages, if sued within six months.

By 13 Geo. 3. c. 32. the 23 Geo. 2. c. 26. is repealed; and persons stealing growing turnips, potatoes, cabbages, parsnips, peas, or carrots (convicted on the oath of one witness before one justice) shall forfeit 10s. besides the value, and the information of the owner is to be allowed; but then the forfeiture goes to the poor, and the prosecution must be within thirty days.

## Trial.

By 12 Ed. 2. stat. 1. c. 2. the absence of witnesses named in a deed that is to be tried, shall not delay taking the inquest.

By 9 Ed. 3. stat. 1. c. 4. trial of a deed dated, where the king's writ runneth not, shall be in the county where the plea is moved.

By 28 Ed. 3. c. 13. trial shall be with half aliens where an alien is party; and the alien jurors not having 40s. a year, shall not prejudice this act. 8 Hen. 6. c. 29.

By 18 Hen. 6. c. 14. sheriffs or like officers taking reward for making array or panel, shall forfeit ten times as much.

By 20 Hen. 6. c. 9. ladies of peers, married or sole, shall be tried by their peers for treason or felony.

By 2 & 3 Ed. 6. c. 24. the trial of him who wounds a person in one county, who dies of the same in another county, shall be in that county where the death happens.

The accessory in murder and felony may be tried in that county where he shall become accessory. *Ibid.*

By 4 Ann. c. 16. every venire for the trial of any issue at *Westminster*, shall be awarded of the body of the proper county where such issue is triable.

Where jurors are to view the place in question, the court may order special writs of *disfringas* or *habeas corpora*, to have six out of the first twelve or more at the place, to be shewn by persons in the writs named. *Ibid.*

By 14 Geo. 2. c. 17. on the plaintiff's neglect to bring on an issue to trial, the court may give judgment as in case of nonsuit.

Defendant living forty miles off shall have ten days notice of trial, and such notice may be countermanded six days before the trial intended. *Ibid.*

By 24 Geo. 2. c. 18. every venire for the trial of an issue upon a penal statute, shall be awarded of the body of the proper county where such issue is triable.

No challenge shall be taken to any panel of jurors for want of a knight's being returned. *Ibid.*

## Trusts.

By 29 Car. 2. c. 3. all creations of trusts of lands shall be in writing or by will, or else void; this does not affect resulting trusts.

Grants

Grants or assignments thereof shall be in writing or by will, the same shall be liable to execution on judgments, and shall be deemed assets in the hands of the heir; but no heir shall by reason thereof become chargeable of his own estate, by *nient dedire*. *Ibid*.

## Turkey Company.

By 26 *Geo. 2. c. 18.* any subject paying 20*l.* may be made free of the *Turkey* company, and take the oath. Persons admitted may export goods to any port within the limits of the patent, paying the charges of the company.

Exportation of gold and silver to be subject to the bye laws of the company. Bye laws shall be confirmed at a subsequent general court. If seven freemen shall think themselves aggrieved, they may appeal to the commissioners of trade. *Ibid*.

Notice of general court for making bye laws to be published in the *Gazette*. All regulations for preventing infection shall remain in full force. *Ibid*.

By 32 *Geo. 2. c. 34.* no woollen manufactures of *France* may be imported by or on behalf of the *Turkey* company into any of the ports in the *Levant* seas, nor may *English* goods be so imported, except directly from *Great Britain*, unless the importer produce a certificate attested that the goods are originally *British*.

## Vacations.

**B**Y 28 *Hen. 8. c. 11.* the next incumbent's charge to the king shall begin from the first vacating of the benefice.

The fruits taken during the vacation of a benefice shall be restored to the next incumbent, saving what amounts to pay for serving the cure during the vacation; and if the same be not sufficient, the curate shall be paid by the next incumbent within fourteen days. *Ibid*.

Incumbents may devise by will any corn sown by them upon their glebe lands. *Ibid*.

## Vagrants.

By 39 *Eliz. c. 17.* wandering soldiers and mariners shall settle themselves to work, get testimonials of their dwelling or birth, and be passed by license from a justice to the place where they are to repair to.

By 7 *Jac. 1. c. 4.* houses of correction shall be provided within every county to set rogues or other idle persons on work. The sessions shall appoint a master of such house, who may set such persons to work, and punish them by putting fetters on, or whipping them; and they are to have no more than they earn.

People



People leaving their children shall be deemed incorrigible rogues, and those who threaten to leave them may be sent to the house of correction as rogues. And the masters shall account quarterly to the sessions, on pain of fine. *Ibid.*

By 13 & 14 *Car. 2. c. 12.* two justices of peace on a constable's death may appoint another, until the lord hold a court leet, or the next quarter sessions.

The quarter sessions may transport incorrigible vagabonds. *Ibid.*

By 14 *Geo. 2. c. 33.* justices of the peace may send vagabonds to the most convenient house of correction.

By 17 *Geo. 2. c. 5.* persons who threaten to leave their family to the parish; return after being legally removed; who live idle; refuse to work for common wages, and the like, shall be deemed idle and disorderly persons.

Reward of 10*s.* for taking up vagabonds. *Ibid.*

General privy search to be made for apprehending vagabonds. *Ibid.*

Vagabond may be sent to be employed in his majesty's service by sea or land, or to the house of correction, and escaping thence, felony, and transportation for seven years. *Ibid.*

Vagrants to be searched; and if found able, to pay for their own passage. *Ibid.*

Vagrants to be passed on to *Scotland, Ireland, Man, Jersey, Guernsey, or Scilly.* *Ibid.*

The parish to which any vagabond is conveyed by pass shall set him to work. *Ibid.*

Sheltering vagabonds shall forfeit not exceeding 40*s.* *Ibid.*

The justices may order children of beggars above seven years old to be placed out as servants or apprentices. *Ibid.*

Women delivered in the street may be detained in custody till safely conveyed to a justice of peace, to be committed. *Ibid.*

Vagrants whose settlements cannot be found, to be employed in the house of correction until the justices can place them out here, or in *America.* *Ibid.*

By 25 *Geo. 2. c. 36.* justices may examine vagabonds and other disorderly persons, transmit the examination to the quarter sessions; and the party not giving a satisfactory account of himself, or security for his appearance, shall be committed.

By 26 *Geo. 2. c. 34.* vagrants passed from one county to another shall be delivered to the parish officer of the first place, in the next county; the expences to be paid by the treasurer of the county.

By 22 *Geo. 3. c. 64.* and 24 *Geo. 3. c. 55.* justices at their quarter sessions shall nominate a justice in each district to examine the houses of correction, and report the state thereof, whereupon the sessions shall make such orders as shall be deemed proper.

Separate apartments shall be provided for persons committed for felony. Buildings shall be furnished, and provided with mills, looms, and utensils for work, and keepers of houses of correction shall deliver to the quarter sessions lists of the persons in custody.

22 *Geo. 3.*

Certain

Certain rules and orders contained in the schedule to the act shall be fixed up, and observed in the houses of correction; and the expences of maintaining the prisoners shall be defrayed out of the county rates. *Ibid.*

Any justice may present the want of houses of correction to the quarter sessions. All prisoners in such houses shall be employed by the governor. No governor or officer under him shall sell any wine, beer, or spirits, or any article used in the house. Justices are to fix a salary for the governor. No woman shall be keeper of any house of correction. Governors may handcuff refractory prisoners; and justices may appoint a clergyman to perform divine service in any house of correction. *Ibid.*

When the amount of any estimate for building, enlarging or repairing shall be very high, the sessions may mortgage the rates; but the money borrowed must be paid within fourteen years. 24 Geo. 3.

The justices may dispose of old houses of correction, and the ground on which they stand; and may make purchases; and if the parties refuse to treat, the value is to be ascertained by a jury; on payment whereof the justices may take possession. *Ibid.*

Justices who are authorized to convict in a summary way may commit offenders to the house of correction. *Ibid.*

By 23 Geo. 3. c. 88. every person apprehended having any implement for housebreaking, or any offensive weapon, with felonious intent, shall be deemed a rogue within the meaning of 17 Geo. 2. c. 5.

## Victuals.

By 51 Hen. 3. stat. 6. twelve men shall enquire of butchers or cooks that buy or sell unwholesome meat of Jews.

By 12 Ed. 2. stat. 1. c. 6. no officer in city or borough, who by his office has assise of wine and victual, shall merchandize therein during his office, on forfeiture of the merchandize.

By 10 Ed. 3. stat. 3. for the dearness of victual, no one shall have more than two courses, except on the great feasts.

By 23 Ed. 3. c. 6. all manner of victual shall be sold for a reasonable price, having respect to the price at other places, on pain of double.

By 13 Ric. 2. c. 8. justices of peace, mayors, bailiffs, and like persons shall set the reasonable gain of victuallers, according to the dearth.

By 12 Ed. 4. c. 8. all patents for searching or surveying of victual shall be void, and only chief governors of cities and towns shall be appointed.

By 3 Hen. 8. c. 8. when a victualler is chief officer of any town, he shall have two sworn assistants to assess prices of victual, and then may sell by retail.

By 25 Hen. 8. c. 2. the lord chancellor, treasurer, president, lords of the council, justices, head officers of corporate towns may set the prices of victuals by proclamation; and no victual shall be exported without license.

By 2 & 3 *Ed.* 6. c. 15. victuallers conspiring to sell their victuals at certain prices, shall forfeit 10 *l.* to be paid within six days, or be imprisoned twenty, and have no other sustenance but bread and water; for a second offence they are to forfeit 20 *l.* or be pillored; and for the third 40 *l.* or be pillored, and lose one ear.

**View.**

By 13 *Ed.* 1. c. 48. view shall not be granted but when necessary; nor where it was had in the first writs, nor after default, nor in writ of dower, nor to plaintiff's lessee, unless the demise was to his ancestor.

Nor shall it be granted in a writ of ward, in a writ of customs and services, in a writ of advowson, except there be more churches than one, of one name, in a writ of dower, or in a *nuper obiit*. Stat. de visu Ter. *incert. Temp.*

**Union of Churches.**

By 37 *Hen.* 8. c. 21. two churches not being above one mile distant, and one of them being not above the yearly value of 6 *l.* may be united.

By 17 *Car.* 2. c. 3. churches and chapels in towns corporate, convenient to be united, may be so, by the bishop of the diocese, with consent of the corporation, and the patron.

Parishes shall remain distinct, notwithstanding such union, as to rates and privileges, and the union is to take effect upon the first avoidance. *Ibid.*

The patrons to present by turn, and the union to be entered in the bishop's register. *Ibid.*

Parishes where the settled maintenance exceeds 100 *l.* a year may not be united. Incumbents of such united parishes shall be graduates in one of the universities; and owners of impropriation or tithes may unite the same, or any part, to the parsonage or vicarage of the parish church without license of mortmain. *Ibid.*

By 4 & 5 *Will. & Mar.* c. 12. if one of the united churches be demolished, the parishioners of the church shall be contributory toward the repairs of the other.

**Voucher.**

By 52 *Hen.* 3. c. 26. the vouchee to warranty shall not be amerced for default the first day in eyre, but on summons the third or fourth; and if out of the county, he shall have summons of fifteen days at least.

By 3 *Ed.* 1. c. 40. in writs of entry, mentioning the degrees, none shall vouch out of the line. In writs of right and possession, it shall be



be a good counter-plea, that neither the vouchee nor his ancestors had ever seisin of the land since the time of him on whose seisin the demandant declares.

By 13 *Ed. 1. c. 6.* where the vouchee falsely denies his warranty, he shall lose the land in like manner as the tenant would have done.

By 20 *Ed. 1. stat. 1.* averment that the vouchee hath nothing, shall be admitted, whether the vouchee be present or absent.

By 14 *Ed. 3. stat. 1. c. 18.* demandants may aver that the vouchee is dead, or that there is none such.

## Upholsterers.

By 11 *Hen. 7. c. 19.* and 5 & 6. *Ed. 6. c. 23.* no one shall make or put to sale any beds, bolsters, or pillows, except they be stuffed with one manner of stuff, dry pulled feathers, or clean down alone, and quilts, matrasses, or cushions stuffed with feathers, wool, or flocks alone, on pain of forfeiting the same, or the value.

## Uses.

By 27 *Hen. 8. c. 10.* the seisin and possession of lands shall be in him or them that have the use.

Where land is assured to *A*, to the use that rent should be paid thereout to *B*, the possession and seisin shall be in *B*, who may avow. *Ibid.*

## Usury.

By 37 *Hen. 8. c. 9.* all former statutes concerning usury were repealed; and the interest of money established at 10*l. per cent.* and none were to take more, on pain of treble the value received, and imprisonment and ransom; and by 13 *Eliz. c. 8.* securities for more shall be void, and brokers and drivers of usurious bargains shall be punished as advocates, *in præmunire*. And he that takes less than 10*l. per cent.* shall forfeit the interest only; and usury contrary to 37 *Hen. 8. c. 9.* shall also be punished by the ecclesiastical law.

The 21 *Jac. 1. c. 17.* reduced the interest of money to 8*l. per cent.* and by the same act, and 12 *Ann. stat. 2. c. 16.* brokers taking more than 5*s. per cent.* for procuring money, and 1*s.* for making a bond, shall forfeit 20*l.* and be imprisoned half a year.

The 12 *Car. 2. c. 13.* reduced the interest of money to 6*l. per cent.*

And by 12 *Ann. stat. 2. c. 16.* the interest of money was reduced to 5*l. per cent.* Securities for more shall be void; and the person taking or agreeing for more corruptly shall forfeit treble the value.

Scriveners or others taking more for procuring a loan, or forbearing of money, than 5*s. per cent. per ann.* or above 12*d.* besides the

the stamps, for making of bonds, shall forfeit 20*l.* with costs, and be imprisoned half a year. *Ibid.*

## Wager of Law.

**B**Y *Mag. Chart.* 9 *Hen.* 3. c. 28. no man shall be put to his law, or to his oath, on the bare suggestion of another, without faithful witnesses.

By 5 *Hen.* 4. c. 8. in suits upon accompt, *infirmul computassent*, and the like, the judges may allow the defendant to wage his law, or to plead to an inquest, upon examining the attornies.

## Wales.

By 12 *Ed.* 1. *Wales* was united to *England*, and divided into counties.

By 28 *Ed.* 3. c. 2. lords of the marches of *Wales* shall be attendant to the crown of *England*, and not to the principality of *Wales*.

By 9 *Hen.* 4. c. 4. felons in *Wales* shall be put to answer where taken, and not be delivered by disclaiming in seigniorie, or by letters of marque.

By 26 *Hen.* 8. c. 4. an officer shall be sworn for the true and diligent keeping of jurors in *Wales*.

By 26 *Hen.* 8. c. 6. all persons in *Wales*, upon warning, shall appear in proper person at courts held, and do suit and service, on pain of fines and amerciaments. But none shall come armed in affray of the peace, to any courts, fairs, or churches in *Wales*.

Officers in *Wales*, who, upon untrue surmises feigned against those who appear, imprison them, shall be fined 6*s.* 8*d.* for every day they remain in prison, to be paid to the party grieved. *Ibid.*

No person, without license of the commissioners, shall within *Wales* levy any commorth, bydale, tenant's ale, or other collection for marriage, mass, priest, redemption of murder, felony, or the like; nor make any games, upon pain of a year's imprisonment. Nor shall any one call arthel into any court, to disturb justice, under the like pain. *Ibid.*

Courts shall be kept in the safest places: and the justices of the next *English* county shall enquire of counterfeiters of money, felons, murderers, and accessaries in the marches of *Wales*. *Ibid.*

By 27 *Hen.* 8. c. 5. the lord chancellor shall assign justices of peace and gaol delivery, by commission under the great seal, in the counties of *Chester*, *Flint*, *Anglesey*, *Carnarvon*, *Merioneth*, *Cardigan*, *Carmarthen*, *Pembroke*, and *Glamorgan*, which justices shall have the like authority as in *England*.

All the king's subjects may pass freely on horseback, or on foot, and with cattle, wares, and like, through the forests of *Wales*, without paying any unlawful exactions. *Ibid.* c. 7.

By the same statute, c. 26. *Wales* is incorporated and united with *England*, and all persons born there, are to enjoy all liberties, as those

those born in *England*; and lands are to descend there according to the *English* laws. The laws of *England* are to be executed in *Wales*. The king is to appoint sheriffs of counties, and have a chancery and exchequer at *Brecknock* and *Denbigh*. Officers of law and ministers are to keep courts in the *English* tongue. *Welsh* laws and customs are to be enquired into by commission, and such of them as shall be thought fit continued. The laws and customs of the three counties of *North Wales*, and the county palatine of *Lancaster*, are saved.

By 34 & 35 *Hen. 8. c. 26.* *Wales* shall be divided into twelve counties; two justices shall be appointed to hold sessions twice a year, and determine pleas of the crown, pleas of assises, and the like. Mayors and head officers of corporations may hold pleas, and determine actions, so as they observe the laws of *England*. Justices of peace shall be appointed as in *England*; and freeholders may pass upon a jury in all causes criminal and civil, but not on attain, unless they have 40s. a year. No person for felony shall be put to his fine in *Wales*, but shall suffer, or be reprieved, according to the laws of *England*. Foreign plea or voucher in *Wales* may be tried in any other shire in *Wales* or *England*. No rumours, tumults, unlawful assemblies, or outcries, shall be in *Wales*. Lands in *Wales* shall be *English* tenure, and not partible. Mortgages in *Wales* shall only be allowed, according to the laws of *England*. Lands may be sold or demised in *Wales* as in *England*. Process shall go out of *England* into *Wales* on statutes or recognizances. No sale of stolen goods in *Wales* shall change the property. Tenants in *Wales* shall pay tallage at the change of their lords, as accustomed; and they shall also send knights and burgesses to parliament, and be chargeable with taxes. Error in the great sessions in *Wales* shall be redressed in the court of king's bench. No execution in base court in *Wales* shall be staid by writ of false judgment. Process for urgent and weighty causes shall be from the chancellor of *England* as used.

By 1 *Ed. 6. c. 10.* exigents and proclamation may be awarded out of the king's bench and common pleas against persons dwelling in *Wales* or *Chester*; and every sheriff in *Wales* and *Chester* shall have a deputy in the king's bench and common pleas to receive writs.

By 1 & 2 *Phil. & Mar. c. 15.* the privileges and liberties of the lords marches in *Wales* are confirmed.

By 5 *Eliz. c. 25.* in case a full jury do not appear before the justices, the sheriff may appoint a sufficient number of the bye-standers to make up the same, and the jurors who first made default shall lose their issues.

The old and new testament, and common prayer, shall be translated into the *Welsh* tongue, and be used in every church in *Wales*. *Ibid. c. 28.*

By 18 *Eliz. c. 8.* the crown may appoint two other persons learned in the laws to be judges on each of the *Welsh* circuits, which had but one justice before, or grant commissions of association.

By 27 *Eliz. c. 9.* all fines and recoveries in *Wales* are to be inrolled.

By 19 *Car. 2. c. 5.* the 17 *Car. 2. c. 7.* concerning replevins and avowries, is extended to *Wales*.



By 1 *Will. & Mar. Sess. 1. c. 27.* the court of president and council of *Wales*, and all jurisdiction belonging thereto, was dissolved and taken away.

The justices of the great sessions in *Wales* respectively shall nominate yearly in their circuits, three for each shire, to be sheriffs, and certify their names to the privy council on the morrow of *All Souls. Ibid.*

Errors in pleas personal in *Wales* shall be redressed by writ of error in the same manner as appointed by the 34 & 35 *Hen. 8. c. 26.* in pleas real and mixed. *Ibid.*

By 5 & 6 *Will. & Mar. c. 4.* the king may appoint any number of justices of peace in *Wales*.

By 7 & 8 *Will. 3. c. 38.* inhabitants of *Wales* may dispose by will of all their personal estate in such manner as they think proper, notwithstanding any custom.

By 11 & 12 *Will. 3. c. 9.* the clause in 22 & 23 *Car. 2. c. 9.* that in actions of trespass, assault, and battery, where the jury find damages under 40*s.* the plaintiff shall recover no more costs: is extended to the court of great sessions in *Wales*.

No sheriff in *Wales*, or the counties palatine, shall hold any persons to special bail, unless the cause of action is sworn to be 20*l.* and upwards; nor shall bail be taken for more than the sum in the affidavit. *Ibid.*

By 8 *Geo. 1. c. 25.* when judgments in the courts of great sessions in *Wales*, and the counties palatine, are signed, the day and year shall be set down thereon, and such judgments shall relate to that day, and not to the first day of the session.

By 6 *Geo. 2. c. 14.* in personal actions under 10*l.* in the courts of great sessions in *Wales* and *Chester*, the plaintiff shall sue out a writ or process, and serve the defendant with a copy, eight days before holding the said courts, who shall appear at the return, or before the third court; and if he appears not then, the plaintiff on affidavit of service may enter an appearance for him.

And by the same act, the 4 *Geo. 2. c. 26.* directing, that proceedings in courts shall be in *English*, is extended to *Wales*.

By 20 *Geo. 2. c. 42.* all acts of parliament wherein *England* is mentioned, shall be deemed to include *Wales* and the town of *Berwick*.

By 32 *Geo. 2. c. 28.* where gaolers, bailiffs, or others, are guilty of extortion or abuses, the courts in *Wales*, upon the prisoner's petition, may examine into the same summarily, and grant redress.

By 8 *Geo. 3. c. 14.* sheriffs in *Wales* shall provide lodgings, and other accommodations for the justices of the great sessions, during the time of each respective session; but in their accounts they are not to be allowed more than 10*l.* for such accommodations in any one county for any one session.

By 12 *Geo. 3. c. 31.* three hundred pounds a year shall be paid to the chief justice of *Chester*; two hundred pounds a year to the second justice; and to every justice of the great sessions of *Wales*, in augmentation of their several salaries.

By 13 *Geo. 3. c. 51.* if the plaintiff in personal actions arising in *Wales*, and tried in the next *English* county, doth not recover 10*l.* damages,

gages, the defendant, if resident in *Wales* at the time of the service of the writ, shall have judgment of nonsuit, unless the judge shall certify, that the freehold or title of land came in question, or that the cause was proper to be tried in an *English* county.

If in transitory actions in any court of record, it appears that the cause arises in *Wales*, and the damages are under 10*l.* the plaintiff shall be nonsuit, and pay costs to the defendant, deducting his debt; and though no judgment is entered, yet the judgement of nonsuit shall be a bar to any new action. *Ibid.*

No *Welsh* judge may appoint a deputy, except for the purpose of calling and adjourning the court, receiving motions, taking and proclaiming fines, and arraigning recoveries; but the king, by sign manual, may appoint judges for the next sessions in place of those who may be indisposed. *Ibid.*

Suits may be tried by special juries, as in the courts at *Westminster*, at the expence of the party applying, and each juror shall have 1*l.* 1*s.* and no more. *Ibid.*

The judges may empower persons to take affidavits concerning proceedings in their circuits, which are to be filed; but they are not to be taken during the sessions. The officers used to take affidavits may continue so to do; and the judges may also empower persons to take bail, which shall be filed in the prothonotary's office. *Ibid.*

The judges may make rules for justifying bail, and notice shall be given of the taking of such bail by the defendant's attorney to the plaintiff's. *Ibid.*

Writs may be returnable the first *Wednesday* of any month, or the first day of the next session at the option of the plaintiff. *Ibid.*

All penalties recoverable by statute in the courts at *Westminster*, except such as are to be sued for in the exchequer only, the offence being committed in *Wales*, and the defendant resident there, may be recovered in the great sessions. *Ibid.*

## War.

By 5 *Ric. 2. stat. 1. c. 11.* the covenants of those who are retained to serve the king in his wars, shall be sent into the exchequer.

By 11 *Hen. 7. c. 18.* persons having offices, fees, or annuities of the king's gift, shall attend the king when he goes in person to the wars, on forfeiture thereof; saving spiritual persons, the master of the rolls, officers in chancery, the judges, barons of the exchequer, the attorney and solicitor general, and the serjeants at law.

## Warrants.

By 18 *Hen. 6. c. 9.* warrants of attorney shall be recorded in the same term that the exigent is awarded.

By 12 *Geo. 2. c. 13.* the not indorsing the attorney's name on warrants upon writs shall not vitiate the same; but sheriffs making out

out such warrant, and not indorsing the name of the attorney, shall forfeit 5 *l*.

## Warranty.

By 4 *Ed. 1. c. 6.* a feoffment to hold of the feoffor, with the words *dedi et concessi* creates a warranty; if to hold of the chief lord, the heir shall not be bound to warranty, but only the feoffor during his own life.

By 4 *Ann. c. 16.* all warranties made by a tenant for life, of lands, shall be void; and all collateral warranties made by any ancestor who has no estate of inheritance in possession, shall be void against his heir.

## Waste.

By 52 *Hen. 3. c. 23.* farmers during their terms shall not make waste, sale, nor exile, of house, woods, and men, without license, by deed, on pain of full damage and grievous amerciamment.

By 6 *Ed. 1. c. 5.* an action of waste shall be maintainable against tenant by the curtesy in dower for life, or term of years, with treble damages and loss of the place wasted.

And no waste or estrepement shall be made *pendente lite.* *Ibid. c. 13.*

By 13 *Ed. 1. c. 14.* no writ of prohibition of waste shall be awarded, but writ of summons, attachment, and distress; on default after distress, the sheriff, with twelve men, shall enquire at the place wasted, and thereon judgment shall pass as in 6 *Ed. 1. c. 5.*

A writ of waste may be brought by one tenant in common against the other, and he may elect to take in severalty by assignment and oath of neighbours. *Ibid. c. 22.*

By 20 *Ed. 1. stat. 2.* the heir may bring an action for waste committed in the time of his ancestor.

By 11 *Hen. 6. c. 5.* waste shall be maintainable against lessee, who takes the profits to his own use, notwithstanding assignment over; but this does not extend to such tenants as hold without impeachment of waste.

## Witch and Ward.

By 5 *Hen. 4. c. 3.* watches upon the sea coasts shall be made in such manner as they were wont, and justices of peace shall enquire, and punish defaults.



## Wax.

By 23 *Eliz. c. 8.* any person using deceit in mixture of wax with rosin, tallow or turpentine forfeits 2*s.* for every pound; and every piece shall be marked with the maker's stamp, on pain of forfeiting the value.

Wrought wax shall be good stuff, and marked with the maker's stamp or seal, on forfeiture thereof; and he that will work or sell wrought wax corrupted, shall forfeit the same. Barrels of honey shall be marked with the initial letters of the filler's name, on pain of 6*s.* 8*d.* a cask, and the barrel shall be thirty-two gallons, the kilderkin sixteen gallons, and the firkin eight gallons, on pain of 5*s.* for every gallon wanting; and persons corrupting honey shall forfeit the same. *Ibid.*

The act does not extend to persons selling wax of their own bees; and counterfeiting of marks, or marking with another's mark, is a penalty of 5*l.* and for non-payment the offender is to be pillored, and imprisoned three months. *Ibid.*

## Wears.

By *Mag. Chart. 9 Hen. 3. c. 23.* all wears are to be put down, except on the sea coasts.

By 9 *Ed. 3. stat. 4. c. 4.* new wears shall be pulled down, and writs sent to the sheriffs to do execution. *Also 45 Ed. 3. c. 2.*

By 1 *Hen. 4. c. 12.* and 4 *Hen. 4. c. 11.* commissions shall be awarded to justices, to survey wears, and redress complaints.

By 12 *Ed. 4. c. 7.* offenders in wears, who continue the offence, or delay to reform it, shall forfeit one hundred marks for every month.

## Weavers.

By 2 & 3 *Phil. & Mar. c. 11.* cloth weavers out of cities or towns shall not have above two woollen looms, nor keep any tucking mill, on pain of 20*s.* a week; and no one shall set up weaving, unless he hath been an apprentice, or served seven years; on pain of 20*l.*

They are not to have more than two apprentices, on pain of 10*l.* White woollen broad cloths shall not be made but in a city, town, or place where it has been usual, on pain of 5*l.* And no fuller shall keep a loom, on pain of 20*s.* a week. *Ibid.*

## Weights and Measures.

By *Mag. Chart. 9 Hen. 3. c. 25.* one measure shall be throughout the realm, of wine, ale, corn, dyed cloth, and the like; and it shall be the same of weights.

By

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By 51 *Hen. 3. stat. 6.* twelve men are to enquire of false weights and measures; and the measures in every town must agree with the standard.

By 31 *Ed. 1.* an *English* penny shall weigh thirty-two wheat corns, twenty pence make an ounce, twelve ounces a pound, and eight pounds a gallon, and eight gallons a *London* bushel, which is the eighth of a quarter.

Three barley grains shall make an inch, twelve inches a foot, three feet a yard, five yards and an half a perch, and forty perches and four in breadth make an acre. *An act made at an uncertain period.*

By 33 *Ed. 1. stat. 6.* when an acre of land containeth ten perches in length, it shall be sixteen in breadth.

The standard of bushels, gallons, and ells, shall be sealed with the king's iron seal, on pain of 100*l.* and they who sell or buy by unsealed measures shall be grievously amerced. *An ordinance for bakers, c. 8.*

The standard bushels and ells sealed shall be kept by mayors or bailiffs; and no grain shall be sold by the heap or cante, except oats, malt and meal. *Ibid. c. 9.*

By 14 *Ed. 3. stat. 1. c. 12.* the treasurer shall send standards of weights and measures into every county; but this is not to oust lords of franchises or clerks of markets from doing their office.

By 18 *Ed. 3. c. 4.* commissions to assay weights and measures shall not issue.

By 25 *Ed. 3. stat. 5. c. 9.* a *uncel* weight shall be put out, buying and selling shall be by the even balance, the weight according to the standard of the exchequer.

Every measure shall be according to the king's standard, and shall be striked without heap, saving rents of lords; and justices shall enquire of offences. *Ibid. c. 10.*

By 27 *Ed. 3. stat. 2. c. 10.* there shall be but one weight, one measure, and one yard, through all the realm; and he who does not observe this, shall forfeit the merchandizes.

By 13 *R. c. 2. c. 9.* there shall be but one weight and one measure throughout the realm, except in the county of *Lancaster*.

By 15 *Ric. 2. c. 4.* the said statutes shall be firmly kept.

By 16 *Ric. 2. c. 3.* the clerk of the market shall have all his weights and measures, according to the standard of the exchequer, signed and marked.

By 1 *Hen. 5. c. 10.* none shall buy corn but by the bushel striked, on pain of 100*s.* to the king, and 100*s.* to the party grieved, and one year's imprisonment.

By 2 *Hen. 6. c. 11.* wine imported in pipes, not containing 126 gallons, and so after that rate, shall be forfeited.

By 8 *Hen. 6. c. 5.* the statutes of weights and measures are confirmed; and every city, borough, and town, shall have a common balance and weights.

By 11 *Hen. 7. c. 4.* every city and borough shall make common weights according to those received, and none shall buy or sell with

other weights and measures than those marked; but this is not to hinder buying or selling by water measure on shipboard.

By 12 Hen. 7. c. 5. the bushel shall contain eight gallons of wheat, the pound Troy, twelve ounces.

By 13 Eliz. c. 11. the affize of thirty-two gallons, containing 1000 herrings, shall be good affize of herring barrels.

By 22 Car. 2. c. 8. the clause in 16 Car. 1. c. 19. (see *Clerk of the Market*) as to water measure, relating to corn and salt, is repealed; and the Winchester measure only shall be used, on pain of 40s. and no mayor shall permit any other to be used within their jurisdictions, on pain of 5l. and if the clerk of the market, or other officer, neglect to seal any measure, he shall forfeit, for the first offence, 5l. and for the second 10l. and if he takes more than his lawful fees, he incurs the penalties in the said act.

A measure of brass shall be chained in every public market place, by the owner of the market, on pain of 5l. *Ibid.*

The constables are to search for, and destroy, all defective measures; and no person shall take any toll, but according to such proportion, as the measures in this act bear unto the measures whereby the same have been usually taken.

By 22 & 23 Car. 2. c. 12. persons buying or selling corn by bags, and not measures, shall, besides the penalties, forfeit the corn.

Where there is no clerk of the market, the mayors, or like officers, shall seal the measures; and the acts are not to extend to salt or rent corn reserved by contract. *Ibid.*

By 1 Ann. stat. 1. c. 15. water measure shall be round, in diameter eighteen inches and an half, and eight inches deep; and fruit sold by water measure shall be heaped; but this is not to extend to sealed measures allowed by the fruiterers company in London.

## Whalebone.

By 9 & 10 W. 3. c. 23. cut whalebone imported, other than in fins only, shall be forfeited, and double the value.

By 4 Ann. c. 12. persons having foreign cut whalebone, other than in fins only, found in their custody, shall forfeit 30l. Masters of ships importing such, shall forfeit 50l. and proof where cut shall lie on the importer.

## White Ashes.

By 2 & 3 Ed. c. 26. the exporter hereof, shall forfeit 6s. 8d. for every bushel.

By 10 & 11 W. 3. c. 21. pearl ashes may be imported from Germany, paying custom as pot ashes. (See page 290.)



## Wills.

By 32 *Hen. 8. c. 1.* and 34 & 35 *Hen. 8. c. 5.* persons having lands in fee simple solely, or jointly, in possession, reversion, or remainder, may dispose of the same (except to bodies corporate) at their will and pleasure.

But wills made by feme coverts, persons within age, or *non compos*, shall be void. 34 & 35 *Hen. 8.*

By 29 *Car. 2. c. 3.* all devises of land shall be in writing, and attested in the testator's presence, by three or four credible witnesses, or else void; and such will shall not be revoked but by some other will, or writing, declaring the same, signed in the presence of three or four witnesses, or by cancelling by the testator, or by his order.

No nuncupative will shall be good, where the estate bequeathed exceeds the value of 30*l.* unless proved by three witnesses at least, present at the making, and bid by the testator to bear witness, and in the time of his last sickness: *I id.*

No nuncupative will shall be proved after six months, unless the substance was committed to writing within six days after the making; nor shall any letters testamentary, or probate thereof, be granted till fourteen days after the death, nor unless the next of kin be warned. *Ibid.*

Wills of soldiers and mariners are excepted; and the act is not to alter the jurisdiction or right of probate of wills concerning personal estates. *Ibid.*

By 4 *W. & M. c. 2.* inhabitants in the province of *York* may dispose, by will, of all their personal estate.

This was not to extend to freemen of the cities of *York* and *Chester*; but 2 *Ann. c. 5.* repeals this clause as to *York*.

By 4 *Ann. c. 16.* all who are allowed to be good witnesses upon trials at law, shall be deemed good witnesses to prove any nuncupative will.

By 25 *Geo. 2. c. 6.* a devisee, legatee, or creditor, attesting a will, shall nevertheless be admitted as witnesses to prove the same; the legacy to be void, and their credit to be left to the jury.

This act shall extend to such of the plantations where 29 *Car. 2. c. 3.* is received. *Ibid.*

## Wine.

By 51 *Hen. 3. stat. 6.* twelve men are to inquire of wine, and how vintners sell the gallon, and of corrupted and unwholesome wine.

By 4 *Ed. 3. c. 12.* wine shall be sold at reasonable price, assayed twice a year, and corrupt wine shall be poured out, and the vessels broken.

By 38 *Ed. 3. stat. 1. c. 11.* all merchants denizens, that be not artificers, may go into *Gascoign* to fetch wine; and aliens may import

port wines into this realm, saving to the king and council to ordain of this article as shall seem best.

By 28 *Hen. 8. c. 14.* the lord chancellor, lord president, lord privy seal, and the two chief justices, or three of them, are to assess the prices of wines sold in gross; and persons selling contrary to the price proclaimed, are to forfeit 40*s.* a vessel.

By 7 *Ed. 6. c. 5.* no wines shall be sold by retail but in cities, boroughs, port towns, or market towns, and by license of the magistrates, on pain of 5*l.*

No man shall retail wine to be spent in his house, on pain of 10*l.* *Ibid.*

Taverns in *Oxford* or *Cambridge* shall be licensed by the Universities, not in greater number. *Ibid.*

By 5 *Eliz. c. 5.* wines shall be sold at such prices as shall be limited by royal proclamation.

By 12 *Car. 2. c. 25.* sellers of wine shall not mingle or adulterate the same, on pain of 100*l.* on the wholesale dealer, and 40*l.* on the retailer.

The officers named in 28 *Hen. 8.* may, yearly between the 20th *Nov.* and the last of *Dec.* set the prices of wines to be sold by retail, by proclamation. *Ibid.*

By 1 *Ann. stat. 1. c. 12.* wines of the growth of *Hungary* may be imported from *Hamburg*, paying duties as for *Rhenish*, or wines of the growth of *Germany*.

By 5 *Ann. c. 27.* a cylinder, seven inches diameter and six inches deep, shall be deemed a lawful wine gallon, and 252 gallons a ton.

By 6 *Geo. 1. c. 12.* on damaged and unmerchantable wines, the duty shall be repaid. But this is not to lessen the duties of buttlerage and prize of wines due on importation. *Ibid.*

By 8 *Geo. 1. c. 18.* no allowance for freight of damaged wines, unless imported in casks directly from the place of growth, or by stress of weather, stranded.

By 12 *Geo. 1. c. 28.* damaged and refuse wines shall be warehoused, and sold to be distilled into brandy, or made into vinegar, and the produce paid to the merchant, not exceeding the allowances, viz.

Wine of the growth of *Germany*, or which pay duty as such, the ton, 4*l.*—of *France* 4*l.*—of *Spain*, *Portugal*, or elsewhere, 8*l.*

By 1 *Geo. 2. stat. 2. c. 17.* no wines shall be imported in flasks, bottles, or vessels, less than 25 gallons; but not to extend to the importation of wines of the growth of the great duke of *Tuscany's* dominions, in open flasks; or of *Turkey* and other parts of the *Levant*, as usually imported.

By 17 *Geo. 2. c. 40.* persons selling wine at either of the Universities, without license of the vice chancellor, shall forfeit 5*l.*

By 30 *Geo. 2. c. 19.* retailing wine unlicensed, is a penalty of 100*l.* The commissioners for stamps shall grant the wine licenses, and the same shall be good during the term for which they are granted.

Licenses for retailing wine shall be taken and paid for yearly; and this act shall not be prejudicial to the privileges of the Universities, or the vintners company. *Ibid.*

By 32 Geo. 2. c. 19. the commissioners are enabled to mitigate the penalty of 100*l.* for retailing wine, unlicensed, but the charges of prosecution shall be allowed over and above.

No discount or drawback of the duty on wine licenses shall be allowed on taking out any number thereof. *Ibid.*

One license shall serve but one house, or place; and retailers shall have the word WINE expressed in or near the door, on penalty of 10*l.* subject to mitigation by the commissioners. *Ibid.*

No act relating to wine licenses shall be prejudicial to the privileges of the two Universities. *Ibid.*

By 4 Geo. 3. c. 13. the allowance of 12 per cent. for leakage was taken off as to wines, unless imported from the place of growth, except *Madeira* from the *American* colonies or the *East Indies*, and on all other wines, 6 Geo. 3. c. 40. except *Guernsey* and *Jersey*. 8 Geo. 3. c. 23.

By 5 Geo. 3. c. 43. custom-house officers may put a sufficient quantity of salt or vinegar into damaged wines, sold for distilling or making vinegar, pursuant to 12 Geo. 1. c. 28.

For the duty upon wine licenses, see title STAMPS.

## Witnesses.

By 5 Eliz. c. 9. witnesses served with process of courts of record, and tender of reasonable charges, not appearing, shall forfeit 10*l.* and yield recompence to the party grieved.

By 25 Geo. 2. c. 36. parishioner or inhabitant of the place, may be a witness upon any prosecution for keeping a disorderly house.

By 27 Geo. 3. c. 29. from Aug. 1, 1787, the inhabitant of any place, shall be a competent witness to prove an offence, though the place may be benefited by the conviction of the offender, unless the penalty exceeds 20*l.*

## Women.

By 31 Hen. 6. c. 9. a woman bound by recognizance, statute, or obligation, obtained by withdrawing them into secret places, dissimulation of faithful friendship, or the like, shall have remedy by writ out of the chancery to avoid the same.

By 4 & 5 Phil. & Mar. c. 8 taking away a woman under the age of sixteen from her father, or the person having the custody or governance of her, shall be imprisoned two years, and fined.

Taking away and deflowering such woman, or by letters or otherwise contracting matrimony with her, is fine and imprisonment for five years. *Ibid.*

Such woman consenting to contract matrimony, the next of kin to whom her inheritance should descend, shall take the same during her life. *Ibid.*



## Woods.

By 35 *Hen. 8. c. 17.* in every acre of coppice felled under twenty-four years growth, there shall be left twelve standils or storers of oak; if there be not so many, then of some other kind, elm, ash, asp, or beech, on pain of 3 *s.* 4 *d.* each.

Coppice felled under fourteen years growth, shall be inclosed four years, and, above that age, shall be inclosed six years, on pain of 3 *s.* 4 *d.* per month for every rod unincloded. *Ibid.*

No wood that is above two acres, shall be converted to pasture or tillage, on forfeiture of 40 *s.* per acre. *Ibid.*

Coppice felled at above twenty-four years growth, shall have twelve oaks in every acre, on pain of 6 *s.* 8. *d.* each, and shall inclose for seven years, on pain of 3 *s.* 4 *d.* a rod for every month. *Ibid.*

Persons may fell for repairs; where others have common in woods, the lord shall not fell until a fourth part be set out by agreement, or by two justices. *Ibid.*

This act is not to extend to woods growing in the wealds of *Kent*, *Surry*, and *Suffex*, or to trees growing within two miles of the sea in *Cornwall*. *Ibid.*

Persons destroying the fences shall forfeit 10 *s.* and persons suffering swine to go into any wood inclosed, without a ring, shall forfeit 4 *d.* per swine. *Ibid.*

After two years fence, the owner may put colts and calves, under the age of one year, into the coppice. *Ibid.*

By 1 *Eliz. c. 15.* no timber trees of oak, a foot square at the stub, within fourteen miles of the sea, or any navigable river, shall be used for coal or iron works, on pain of 40 *s.* each; but this does not extend to woods growing in the wealds of *Kent*, *Surry*, and *Suffex*.

By 13 *Eliz. c. 25.* woods in coppice, intended by 35 *Hen. 8.* shall be inclosed two years more than are thereby severally limited.

By 27 *Eliz. c. 19.* no new iron mill shall be made in *Suffex*, *Surry*, or *Kent*, nor shall good timber be consumed by the making of iron, and the occupiers of iron works shall cause the highways to be amended.

By 15 *Car. 2. c. 2.* constables shall apprehend persons suspected of stealing wood, gates, or fences, who not giving an account to the justices, may be punished as by 43 *Eliz. c. 7.* (see *Trespass*) and as by this act.

Persons convicted hereof, shall give the owner damages, to be assessed by the justices, and 10 *s.* to the poor, which, if not paid, they are to be whipped or imprisoned for one month; for a second offence, to be sent to the house of correction, for one month; and for a third, to be deemed incorrigible rogues. *Ibid.*

Persons buying or receiving such stolen wood, poles or sticks, are to render treble damages to the owner, or be imprisoned one month.

By 1 *Geo. 1. c. 48.* timber, fruit, or other trees, maliciously broken down or destroyed, shall be made good to the owner by the parish.

Offenders,

Offenders, being convicted, shall be sent to the house of correction for four months, and be publickly whipped every month. *Ibid.*

Maliciously setting on fire any wood, or coppice, shall be felony. *Ibid.*

By 6 *Geo.* 1. c. 16. owners of trees, hedges, gates or fences, cut down, spoiled, or taken away, either by day or by night, shall have satisfaction from the inhabitants of the place, in the same manner as for dikes overthrown in the night, by 13 *Ed.* 1. (see *Approvement*) unless the offender be convicted in six months.

Two justices of peace of the place, or the sessions, shall hear complaints, and finally determine all offences against this act; and if they convict any one, they shall inflict the same penalties as in the last act. *Ibid.*

# Worsted.

Wardens of the worsted weavers of *Norwich*, shall inspect and regulate the worsted in that city, and in *Norfolk*, and the length and breadth of worsteds made in *Norwich* and *Norfolk* are settled. 7 *Ed.* 4. c. 1. 12 *Hen.* 7. c. 1. 14 & 15 *Hen.* 8. c. 3. 1 *Ed.* 6. c. 6. 1 & 2 *Phil.* & *Mar.* c. 14. and 13 & 14 *Car.* 2. c. 5.

No person shall dry calendar any worsteds; and such only as have been bred to the occupation, and approved by the mayor of *Norwich*, shall wet calender worsteds, 5 *Hen.* 8. c. 4. 14 & 15 *Hen.* 8. c. 3. and 25 *Hen.* 8. c. 5.

Exporting *Norfolk* wool, meet for making of worsteds, or flammings, prohibited, on forfeiture of 40s. per stone, 6 *Hen.* 8. c. 12. 33 *Hen.* 8. c. 16. and 1 *Ed.* 6. c. 6.

Worsted weavers in *Lynn* and *Great Yarmouth*, may take apprentices of the age of fourteen, 14 & 15 *Hen.* 8. c. 3.

No person using the craft of dying worsted, shall calender them, on pain of 40s. 25 *Hen.* 8. c. 5.

The corporation shall order the making of *Russe's* fattens, reverses, and fustians of *Naples*, in *Norwich*. 1 & 2 *Phil.* & *Mar.* c. 14.

None shall occupy the said trade in *Norwich* that is not free of the said city, and been apprentice seven years. *Ibid.*

The wardens of weavers in *Norwich* shall order the making of stuffs in *Norfolk* and *Norwich*. 13 & 14 *Car.* 2. c. 5.

# Wreck.

By 3 *Ed.* 1. c. 4. where a man, dog, or cat, escapes alive out of a ship, the same shall not be adjudged a wreck; but the goods shall be saved, and kept by the sheriff a year and a day for the owner, who shall be restored to them, on proof being made of their being his. On neglect of claiming in a year and a day, the king, or other lords, shall take it.

By

By 17 *Ed. 2. c. 11.* the king shall have wreck of the sea throughout the realm, except in places privileged by him.

By 12 *Ann. stat. 2. c. 18.* sheriffs, mayors, custom house officers, and chief officers of ships, shall summon persons, and give assistance to ships in danger of being stranded, on forfeiture of 100/

Reasonable salvage shall be paid to persons employed in preserving ships in distress. Three justices of peace shall adjust the quantum. Goods not claimed in twelve months, shall be sold, and the monies transmitted to the exchequer. *Ibid.*

Persons boarding ships in distress without consent, or hindering the saving, shall make double satisfaction, and may be repelled by force. *Ibid.*

Making holes, stealing the pump, or doing any thing tending to the immediate loss of a ship in distress, is felony without benefit of clergy. *Ibid.*

Customhouse officer abusing the trust hereby reposed in him, shall forfeit treble damages, and be disabled. This act is to be read four times a year, in the churches at sea port towns; but is not to extend to prejudice any claim of the crown, or patentees to any wreck. *Ibid.*

*Made perpetual, 4 Geo. 1. c. 12.*

By 4 *Geo. 1. c. 12.* the above act shall not affect the ancient jurisdiction of the admiralty court of the cinque ports.

By 26 *Geo. 2. c. 19.* plundering shipwrecked goods, obstructing the escape of any person from a wreck, or putting out any false lights, with intent to destroy the ship, is felony without clergy.

Where goods of small value cast on shore, shall be stolen without circumstances of cruelty, the offender may be indicted for petit larceny. *Ibid.*

Justices of peace may issue warrants to search for shipwrecked goods stolen, or concealed. *Ibid.*

Persons who save goods, for the benefit of the owners, and give notice thereof, or who discover where such goods are concealed, shall be intitled to salvage; and in case of disagreement, the quantum shall be adjusted as 12 *Ann.* has appointed. *Ibid.*

Where any ship shall be stranded, public notice shall be given by the next justices of peace, for a meeting, to assist and adjust the salvage, and 4 s. a day shall be allowed for their attendance. *Ibid.*

If the salvage is not paid or security given for the same, within forty days, the officer of the customs may raise the same by a bill of sale of the ship or cargo, redeemable on payment of principal and interest. *Ibid.*

On oath of plundering a ship, or the like, and examination delivered to the clerk of the peace, he is to prosecute the offender and the charges shall be paid by the treasurer of the county; and neglecting to prosecute, he forfeits 100l. *Ibid.*

The commissioners of the land-tax, deputy sheriff, coroner, and officers of excise, shall be proper officers for putting 12 *Ann. c. 8.* and the present act in execution, together with those named therein. *Ibid.*



Officers appointed by the lord warden of the cinque ports shall execute these acts, within the liberty of the cinque ports. *Ibid.*

Persons convicted of assaulting any magistrate, or officer in preserving ship or goods, shall be transported for seven years. *Ibid.*

A justice of peace, in absence of the high sheriff, may take the power of the county to repress violence. *Ibid.*

Persons assembled to assist in cases of shipwreck, shall conform, in the first place, to the orders of the masters or owners, and for want thereof, to the orders of the persons authorized, according to the subordination directed by this act. *Ibid.*

This is not to prejudice any claim of the crown, or patentees to any wreck. *Ibid.*

Examination on oath shall be taken of the name of the ship so distressed, the cargo, and owners, and a copy shall be transmitted by the officer of the customs to the secretary of the admiralty, and published in the gazette. *Ibid.*

## Writs.

By 52 Hen. 3. c. 29. a writ of entry on disseisin shall be maintained in the *post*, notwithstanding alienations, and without mentioning the degree.

By 3 Ed. 1. c. 41. the champion's oath in a writ of right, that he or his father saw the seisin of his lord, shall not be so henceforth, but in all other points the oath shall be kept.

By 13 Ed. 1. stat. 1. c. 13. a writ of *cui in vita*, shall be given to the wife, where her husband lost by default the land which was her right.

In writs of coſinage, plea shall be admitted that the plaintiff is not next heir. *Ibid.* c. 20.

By 28 Ed. 1. c. 6. no writ concerning the common law shall be awarded under any petit seal.

By 34 Ed. 1. stat. 1. writ of *indicavit* shall not be granted before the matter depending in the spiritual court be recorded.

By 2 Ed. 3. c. 17. writ of *deceit* may be maintained in case of garnishment, as in case of summons, in plea of land.

By 6 Ric. 2. c. 3. writs of *nusance* shall be either vicountiel, or in the nature of assizes, at the election of the plaintiff.



A

# GENERAL TABLE

## TO THE

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U u

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SECRETARY OF THE ARMY

THE  
HONORABLE  
MEMBERS OF THE  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D. C.  
DEAR SIR:  
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the purchase of land for the establishment of a military reservation at the site of the proposed new city of Washington, D. C.  
The Department is very anxious to secure the land as early as possible, and will endeavor to complete the purchase as soon as the necessary funds are available.  
Very respectfully,  
Your obedient servant,  
J. M. SMITH  
Secretary of the Army

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I N D E X.

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## E R R A T A.

Page 130, at the end of the tenth paragraph *add* c. 8.

— 160, last line but one *dele* *twice*.

— 390, read *estates personal* instead of *personal estates*.

— 576, in the last line but one, after *Portugal* read *who* assembled, &c.

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